

<b>Address:</b>	369-377 Kentish Town Road London NW5 2TJ		
<b>Application Number:</b>	2019/0910/P	<b>Officer:</b> David Peres Da Costa	
<b>Ward:</b>	Kentish Town		
<b>Date Received:</b>	15/02/2019		
<b>Proposal:</b> Redevelopment including change of use from car wash (Sui Generis) and erection of part six and part seven storey building plus basement to provide 14 flats (10 x 2-bed units and 4 x 1-bed) (Class C3) at 1st floor and above (with terraces at 5th floor rear and 6th floor level (north elevation); and retail (Class A1) or restaurant (Class A3) use at ground and basement level incorporating widened pavement to Kentish Town Road.			

**Background Papers, Supporting Documents and Drawing Numbers:**

Existing drawings: A05; A20; A10

Proposed drawings: A90 A; A100 C; A101 B; A105 B; A106 A; A107 A; A150 A; A151 A; A200 A; A201 A; A202 A; A203 A;

Supporting documents: Affordable Housing Policy Statement prepared by AHS dated February 2019; Basement Impact Assessment Rev 1 prepared by CGL dated June 2019; Design and Access Statement, prepared by dMFK Architects dated February 2019; Planning Statement, prepared by Savills dated February 2019; Daylight & Sunlight Assessment, prepared by EB7 Environmental dated 7<sup>th</sup> February 2019; Noise Survey and Acoustic Design Statement, prepared by Hann Tucker dated 4 February 2019; Train Induced Noise and Vibration Assessment, prepared by Hann Tucker dated 8 February 2019; Energy and Sustainability Statement, prepared by Peter Deer and Associates dated February 2019; Transport Statement, prepared by Caneparo Associates dated February 2019; Delivery and Servicing Management Plan, prepared by Caneparo Associates dated February 2019; Health Impact Assessment, prepared by Savills dated February 2019; Statement of Community Involvement, prepared by Four Communications dated February 2019; Surface Water Drainage Pro-forma; Secure by Design Statement; Flood Risk Assessment and Surface Water Drainage Strategy Report prepared by Price & Myers dated February 2019; Financial Viability Report prepared by AHS dated February 2019; Air Quality Assessment dated April 2019; Interim Stage 2 Cost Plan No 2 prepared by Bristow April 2019; Draft Response to BPS report of 3<sup>rd</sup> April 2019 prepared by AHS; Area Schedule prepared by dMFK; Mid application updates prepared by dMFK dated April 2019; Supplementary Energy Statement prepared by Peter Deer and Associates dated April 2019; Mid Application Accessibility Design Response prepared by dMFK dated April 2019; Archaeological Desk-based Assessment prepared by Savills dated May 2019; LLFA response prepared by Price & Myers dated April 2019; Appraisal Summary prepared by AHS dated 09/05/2019; Draft Response to BPS report of 3<sup>rd</sup> April 2019 prepared by AHS; Interim Stage 2 Cost Plan No 2 prepared by Bristow Johnson dated 12 Apr 2019; Technical Note on Basement Impact Assessment prepared by CGL dated 3 June 2019

Independent Viability Review prepared by BPS dated 3<sup>rd</sup> April 2019; Addendum prepared by BPS dated 26<sup>th</sup> June 2019; BIA Audit prepared by Campbell Reith dated June 2019

**RECOMMENDATION SUMMARY:** Grant conditional planning permission subject to a Section106 legal agreement

**Applicant:** c/o Agent

**Agent:** Savills

33 Margaret Street  
London  
W1G 0JD

## ANALYSIS INFORMATION

Land Use Details:			
<i>Use Class</i>	<i>Use Description</i>	<i>Existing floorspace (m<sup>2</sup> GIA)</i>	<i>Proposed floorspace (m<sup>2</sup> GIA)</i>
Sui Generis	Car wash	70	0
C3	Dwellinghouses	0	1,256
A1/A3	Shops / Restaurants and cafes	0	255

Residential Use Details:									
	<i>Residential Type</i>	<i>No. of Bedrooms per Unit</i>							
		<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	<i>5</i>	<i>6</i>	<i>7</i>	<i>8</i>
Proposed	Flats	4	10						

### Executive Summary

The site occupies a triangular site on the west side of Kentish Town Road, occupied by a car wash. There is a wide railway cutting to the rear. The neighbouring building to the north (379 Kentish Town Road) is 5 storeys and the remainder of the adjoining terrace is 3 storeys, although 381 and 383 Kentish Town Road both have additional height due to mansard roofs. The site falls within the Kentish Town 'Town Centre', the Kentish Town Neighbourhood Area, and within the area covered by the draft Kentish Town Planning Framework.

The site is not in a conservation area but Kentish Town conservation area is to the east of the site. There are also several nearby Grade II listed buildings including The Grade II listed public house "The Assembly House" (292-294 Kentish Town Road) is to the south of the site on the other side of Kentish Town Road. The proposals would not harm the setting of the heritage assets within the vicinity of the site.

The redevelopment proposal involves a change of use from the existing car wash (Sui Generis) with the erection of a part six and part seven storey building plus basement to provide 14 flats (10 x 2-bed units and 4 x 1-bed) and a commercial unit (A1/A3) at ground and basement. The redevelopment would provide a widened pavement to the front of the site and the relocation of the existing bus shelter.

The loss of the existing car wash has been agreed as being acceptable by virtue of the adoption of the Kentish Town Neighbourhood Plan (KTNP). The Council regards self-contained housing as the priority land-use of the Local Plan and housing would accord with Policy SSP1 of the KTNP which supports proposals for the redevelopment of this site.

Objections have been received from local groups and residents (23) with concerns raised about a range of issues including bulk and height.

The Design Review Panel have reviewed the scheme and consider that the developing designs are of a very high quality and, with minor adjustments, would result in an exceptional building suited to its prominent location. The overall height of the building was considered acceptable. In response to DRP's comments, the scheme has been revised to provide a smoother transition in height to the neighbouring building to the north. The development shows generosity to the public realm, and would help to activate and enhance this part of the town centre. Overall, it is considered that the development is of high architectural quality, which would provide a significant improvement to the townscape over the existing car wash.

The results from the daylight and sunlight assessment demonstrate a good level of compliance with the BRE criteria. Where localised deviations do occur, these are generally marginal transgressions affecting bedrooms. All rooms retain very high absolute levels of VSC daylight (averaging c.26% VSC). These are excellent levels of amenity for an urban location and, as such, the effects are considered minor and wholly acceptable under the BRE guidelines.

On the basis of 1256sqm GIA of additional housing floorspace proposed, this would result in a requirement for 26% affordable housing (326.56sqm). The Council's Affordable Housing Development Co-ordinator considers a Payment in Lieu would be the best option for this site. The policy target is £1,078,974. Following review of the viability assessment, BPS calculate that a surplus of £276,000 is produced on a 100% private iteration of the scheme. This would be provided as a payment in lieu. A deferred affordable housing contribution would also be secured by legal agreement.

A Construction management plan and a construction working group consisting of representatives from the local community would be secured by legal agreement.

## **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 or more than 1000 sq. mtrs of non-residential floorspace.

### **1. SITE**

- 1.1. The site occupies a triangular site on the west side of Kentish Town Road which is occupied by a car wash with a number of single and two storey sheds and buildings. There is a wide railway cutting to the rear which is used by Thameslink trains as well as tracks for the Midland Main Line. The boundary to the railway is defined by a substantial brick retaining embankment wall, with track level sitting approximately 10m below the site on its route under the road bridge and through to Kentish Town Station.
- 1.2. The area is characterised by a variation in building heights. The neighbouring building to the north (379 Kentish Town Road) is five storeys and the remainder of the adjoining terrace is three storeys, although 381 and 383 Kentish Town Road both have additional height due to mansard roofs. The terrace on the opposite side

of the Kentish Town Road is two storeys, rising up to the four storey Assembly House pub to the south. The surrounding buildings are generally in retail or restaurant use at ground floor with ancillary uses or flats above. The pavement in front of the site has a bus stop and shelter with bus services towards Parliament Hill and Archway.

- 1.3. The site falls within the Kentish Town 'Town Centre' and the Kentish Town Neighbourhood Area. The Kentish Town 'Town Centre' is located just to the north of Camden Town and is the borough's third smallest centre. It provides for the day to day shopping and service uses for the local area. Kentish Town is designated as district centre in the London Plan. The site is also within the area covered by the draft Kentish Town Planning Framework.
- 1.4. The site is not in a conservation area but Kentish Town Conservation Area is to the east of the site. The conservation area (CA) covers Leverton Place (which is a junction on the opposite side of Kentish Town Road) and from there the boundary of the CA runs south down Kentish Town Road itself. Sub area 1 of the CA contains a handful of buildings on Kentish Town Road, including the Assembly House. There are also several nearby Grade II listed buildings including The Forum, The Bull and Gate PH and a terrace of properties between these 1-7 Highgate Road. The Grade II listed public house "The Assembly House" (292-294 Kentish Town Road) is to the south of the site on the other side of Kentish Town Road.
- 1.5. The site also lies within an Archaeological Priority Area and within the London View Management Corridor: 'Kenwood viewing gazebo to St Paul's Cathedral'.

## **2. THE PROPOSAL**

### **Original**

- 2.1. The redevelopment proposal involves a change of use from the existing car wash (Sui Generis) with the erection of a part six and part seven storey building plus basement to provide 14 flats (10 x 2-bed units and 4 x 1-bed) at 1st floor and above. There would be terraces at 5th floor rear and 6th floor level (north elevation). The commercial unit at ground and basement would be for either retail (Class A1) or restaurant (Class A3) use. The redevelopment would provide a widened pavement to the front of the site where there is an existing bus shelter and stop.

### **Revision**

- 2.2. Prior to submission, the scheme was revised to try to address comments from the Design Review Panel by reducing height and bulk on the northern end of the building. Following submission of the scheme, the proposed massing to the north elevation was again amended to further reduce its size and to improve its relationship with the adjoining terrace. For further detail please refer to paragraph 6.46.

### 3. RELEVANT HISTORY

- 3.1. 369-377 Kentish Town Road (application site)
- 3.2. 8903167: Erection of a five-storey development to contain a car showroom a flat and a maisonette with ancillary parking for the showroom and residents at ground floor level. Refused 24/05/1990 Appeal allowed 19/11/90
- 3.3. EN11/0104: The erection of 2x advertisement hoarding on the front elevation of bridge structure and adjoining site. Discontinuance Notice dated 13/02/2013. Appeal allowed; discontinuance notice quashed 26/11/2013.
- 3.4. 379 Kentish Town Road (adjacent site to the north)
- 3.5. 2018/2336/P: Erection of 6no antennas and equipment housing on the rooftop, 1no electrical meter cabinet located at ground level and ancillary development (retrospective). Refused and Warning of enforcement action 29/10/2018
- Reason for refusal: The proposed antennas and associated equipment cabinet fixtures to roof level, by virtue of their siting, size and design, would result in a visually prominent and incongruous rooftop development which would harm the appearance and character of the host and adjacent buildings, local views, streetscene and adjacent Kentish Town Conservation Area, contrary to policies D1 (Design) and D2 (Heritage) of the Camden Local Plan 2017.*
- 3.6. 2011/1190/A: Display of externally illuminated sign on the south facing flank wall at the third/fourth floor level of an end of terrace mixed use commercial and residential property (Class A1/C3). Refused 06/05/2011. Appeal dismissed 06/05/2011
- 3.7. 2010/1134/A: Display of internally illuminated sign on the south facing flank wall at the third/fourth floor level of an end of terrace mixed use commercial and residential property (Class A1/C3). Refused 18/06/2010. Appeal dismissed 09/11/2010
- 3.8. 9580167: The display of an externally illuminated Tri-wonder advertisement. Refused 10/05/1996. Appeal dismissed 08/10/1996
- 3.9. **EN18/0132**: Unauthorised advertisement located on the flank wall of the premises. Case closed 01/05/2019; not expedient.
- 3.10. **EN18/0231**: Alleged breach: mobile phone antennae erected at roof level. Enforcement Notice would take effect 27/12/18. Appeal lodged 19/12/18
- 3.11. **EN16/1269**: Installation of mobile telephone masts on roof. Case closed 10/10/2017; permitted development under Class A(b) or Part 16 or the Town and Country Planning (General Permitted Development) (England) Order 2015 (as

amended by statutory instrument 2016 No. 1040): the use of land in an emergency for a period not exceeding 18 months to station and operate moveable electronic communications apparatus required for the replacement of unserviceable electronic communications apparatus, including the provision of moveable structures on the land for the purposes of that use.

- 3.12. The case closure report notes: *“the installation is highly visible and imposing to the streetscene due to its siting and scale. However the temporary/emergency installation is permitted. A letter will be sent ... to remind him that the installation cannot be place any longer than 18 months and that they are strongly advised to remove as soon as the ‘emergency’ is resolved.”*

## **4. CONSULTATIONS**

### **Statutory Consultees**

- 4.1. Thames Water
- 4.2. *Waste Comments*
- 4.3. Following initial investigations, Thames Water has identified an inability of the existing combined water infrastructure to accommodate the needs of this development proposal. Thames Water will contact the developer in an attempt to agree a position for surface water networks but given the time available Thames Water request that the following condition be added to any planning permission.
- 4.4. *No properties shall be occupied until confirmation has been provided that either:- all combined water network upgrades required to accommodate the additional flows from the development have been completed; or - a housing and infrastructure phasing plan has been agreed with Thames Water to allow additional properties to be occupied. Where a housing and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan.*
- 4.5. *Reason: The development may lead to sewage flooding and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional flows anticipated from the new development. Any necessary reinforcement works will be necessary in order to avoid sewer flooding and/or potential pollution incidents.*
- 4.6. The developer can request information to support the discharge of this condition by visiting the Thames Water website at [www.thameswater.co.uk/preplanning](http://www.thameswater.co.uk/preplanning). Should the Local Planning Authority consider the above recommendation inappropriate or are unable to include it in the decision notice, it is important that the Local Planning Authority liaises with Thames Water Development Planning Department (telephone 0203 577 9998) prior to the planning application approval.
- 4.7. *Water Comments*

- 4.8. There are water mains crossing or close to your development. Thames Water do NOT permit the building over or construction within 3m of water mains. If you're planning significant works near our mains (within 3m) we'll need to check that your development doesn't reduce capacity, limit repair or maintenance activities during and after construction, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>
- 4.9. If you are planning on using mains water for construction purposes, it's important you let Thames Water know before you start using it, to avoid potential fines for improper usage. More information and how to apply can be found online at [www.thameswater.co.uk/buildingwater](http://www.thameswater.co.uk/buildingwater).
- 4.10. On the basis of information provided, Thames Water would advise that with regard to water network and water treatment infrastructure capacity, we would not have any objection to the above planning application. Thames Water recommends the following informative be attached to this planning permission.
- 4.11. *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.*
- 4.12. Historic England: Greater London Archaeology Advisory Service
- 4.13. The additional information and interpretation clearly shows substantial levels of disturbance across the site. Given the relatively small size of the site and the limited potential for archaeological remains to pre-date the late post-medieval period I would not be requesting any further archaeological work or conditions.
- 4.14. Transport for London (TfL)
- 4.15. The site of the proposed development is on A400 Kentish Town Road, which forms part of the Strategic Road Network (SRN). While the Local Authority is the Highway Authority for those roads, TfL has a duty under the Traffic Management Act 2004 to ensure that any proposal does not have an adverse impact on the SRN.
- 4.16. *Public realm improvements*
- 4.17. TfL strongly supports the removal of the existing vehicle crossover on Kentish Town Road and welcomes that improvements will be made to pedestrian conditions, in line with draft London Plan policy T2 (Healthy Streets) and policy D7 (Public realm).
- 4.18. *Cycle parking*
- 4.19. 34 cycle parking spaces (32 for residential and 2 for retail) are currently proposed. While the residential cycle parking provision meets the draft London Plan standards which require 26 long-stay and 2 short-stay spaces, the short-stay provision for



retail use is not yet in compliance with draft London Plan standards. Should it be a food retail unit (Use Class A1) or a restaurant/café (Use Class A3), a minimum of 13 short-stay cycle spaces are required.

- 4.20. TfL notes that the applicant is exploring options for on-street visitor (short-stay) cycle parking. The applicant should identify nearby on-street locations to accommodate the cycle parking stands. Locations for more than 13 short-stay cycle spaces should be identified in order for the Council to decide the best options for locating the cycle stands.
- 4.21. Cycle parking should follow the London Cycling Design Standards (LCDS) and be located in an accessible, convenient, secure, and sheltered area.
- 4.22. The lift for cycle parking access should have minimum dimensions of 2.3m x 1.2m and a minimum door opening of 1m to comfortably accommodate all types of cycle. The applicant should confirm with the Council that the lift meets these standards and that there are wide doorways and spacious corridors to reach the cycle parking areas whilst the doors are automated.
- 4.23. End of journey facilities should be provided for the employment use including shower and changing facilities.
- 4.24. *Bus shelter alterations*
- 4.25. TfL has no objections in regard to the bus stop and shelter configuration. However, due to high passenger numbers (an average of 642 boarders a day), a 2-bay shelter is not considered adequate. TfL requests a 3-bay shelter (approximately 4260mm long) to be installed, similar to the shelter at Kentish Town (Stop KB).
- 4.26. Detailed design and configuration for the bus stop will need to be designed and built in accordance with TfL Accessible Bus Stop Design Guidance and will require TfL Buses' approval.
- 4.27. *London Underground infrastructure*
- 4.28. Due to the development site being in close proximity to London Underground tunnels, the following condition should be imposed to ensure the safe operation of the railway.
- 4.29. The development hereby permitted shall not be commenced until detailed design and method statements (in consultation with London Underground) for basement construction only have been submitted to and approved in writing by the local planning authority which:
- provide details of basement construction
  - accommodate the location of the existing London Underground structures and tunnels
  - accommodate ground movement arising from the construction thereof
- 4.30. *MCIL 2*

- 4.31. The new Mayoral Community Infrastructure Levy (MCIL2) will be levied from April 2019. This levy will be charged at £80 per square metre (indexed) for qualifying development in the London Borough of Camden.
- 4.32. *Summary*
- 4.33. Subject to the above being secured/adhered to, TfL has no objections to this planning application.
- 4.34. Network Rail
- 4.35. The developer has engaged with Network Rail in relation to this site and the proposed scheme and we therefore have no observations to make subject to the continuation of the necessary discussions and agreements as the development progresses.
- 4.36. Kentish Town Neighbourhood Forum (KTNF)
- 4.37. Kentish Town Neighbourhood Forum (KTNF) have carefully studied the planning Application for the Car Wash site, paying particular attention to the Design and Access Statement. Over the course of the last eighteen months, the developer and his design team have asked KTNF to meet them to seek advice on how best to respond to local concerns and ambitions for the redevelopment of this important site. At our first meeting with them KTNF explained the process we had undertaken over five years working with the local community writing the Kentish Town Neighbourhood Plan and talked them through the ambitions KTNF had set out for the redevelopment of the Regis Road and Murphy sites, and the ultimate creation of a new Kentish Town square. We pointed out that the adopted plan made specific reference to the need to eliminate the eyesore of the existing car wash site and the importance KTNF attach to its redevelopment. We note that the application scheme reflects the important intentions set out in the Neighbourhood Plan; specifically, the access onto the Murphy site, the prominent design of the building, and its response as a marker for the future Kentish Town square, and the provision of a wider pavement to accommodate those queuing for buses on Highgate Road,
- 4.38. Over a series of half a dozen meetings KTNF were encouraged by the way in which the development team grew to understand the intentions presented in the Neighbourhood Plan, and their enthusiasm to fulfil our ambitions. Due to the importance KTNF have always attached to the redevelopment of the site we approached Camden Council to seek relaxation of their initial intention to refuse determination of any application on this site until the Framework Plan for the Regis Road and Murphy sites are complete. KTNF expressed concern that should the car wash site development be restricted it may not reach fruition for over a decade. We were very pleased when Camden Council relaxed their initial restriction.
- 4.39. KTNF have read with great interest the summary of the report of Camden's Design Review Panel (DRP) held in January 2019, which is contained in 5.1 of the Design and Access Statement and which reflects our thoughts and feelings about the Car Wash site. The summary states that the DRP is supportive of the design approach,

care and detailing; of the high-quality design and materiality; and, with a qualification, of the building's height. KTNF will explain their understanding of this qualification and how it was addressed. As the drawings accompanying this application appear not to incorporate the comments made by the DRP about the height of the building at its northernmost end, KTNF sought an explanation from the developer. We have been told that the developer's design team responded to the DRP's comments by reducing the height including the lift core; creating set back corners at the northern end; redesigning the arrangement of the fins at the northern flank; and introducing a small window into the lift core. These changes were subsequently seen by Camden planners as a reasonable response to the comments of the DRP.

- 4.40. In consultation with KTNF committee members there have inevitably been individual aesthetic views about the details of the design of the façades, individual comments on height and massing, design treatment of the top two floors, and the relationship to the adjoining terrace. However, these comments are those of individuals and do not represent a collective view that warrants a comprehensive objection.
- 4.41. KTNF is very concerned to see this application succeed. We recognise that the development of the small triangular site next to a deep and busy railway cutting is particularly challenging to make financially viable, and from the the extensive documentation supporting this application and the amount of time KTNF have spent with the development team, we know how seriously they have worked to produce an excellent solution despite so many difficult limitations. We would not wish to see this application fall at the current time when it is probable that any refusal would result not only in the loss of this particular proposal but also an extremely long delay before any alternative solution for the site emerges. KTNF supports this application.

### **Local Groups**

- 4.42. Bartholomew Estate and Kentish Town CAAC - Object
- 4.43. Bartholomew Estate and Kentish Town CAAC have a number of concerns about this proposal. We consider it is at least 2 stories too high and in style and height totally out of keeping with the surrounding buildings. It is added to a group of buildings with stucco exterior, and no attempt has been made to fit it too its surroundings. Indeed as proposed it would be a complete eyesore. For a commercial building it is very ordinary not in the least distinguished and contributes nothing and does not enhance the area. We can see this building from the CAAC and consider the sight needs a more thoughtful design of less height at least two stories and in keeping with the surrounding buildings.
- 4.44. Kentish Town Road Action (KTRA) – Object
- 4.45. KTRA considers this proposal, for a seven storey development, is far too high for the site, and a case of over-development which will dominate the surrounding area. The Kentish Town Neighbourhood Plan states on p.49: "The design of the new

building will respect and be sensitive to the height of existing buildings in their vicinity and setting.” The proposed building can hardly be said to respect and be sensitive to buildings in the vicinity. The building next door, 379 Kentish Town Road, is five stories high and that is quite high enough.

- 4.46. A “Landmark Building” doesn’t have to be seven storeys high. The Bull and Gate at 389 Kentish Town Road is a Landmark building and is three storeys high. The ex-Pizza Express building at 187 Kentish Town Road is five storeys high. That is certainly a Landmark building, as it marks the entry into Kentish Town Road from the south. A Landmark building should be beautifully designed and in keeping with its surroundings. This cannot be said of this proposal.
- 4.47. This proposal would be a stand-alone building, not part of the future Regis Road development that will be entirely composed of new buildings. The highest buildings in the Regis Road development will be at the back of the site and will not impinge on heights or architecture in the “older” part of Kentish Town.
- 4.48. If and when a building is constructed on this corner there must be a tightly defined and well-enforced construction management plan in place. Deliveries to the site will need to be timed carefully, so as not to cause terrible northbound congestion.
- 4.49. We are asking you to refuse this planning application as it stands.

4.50. **Adjoining Occupiers**

<i>Number of letters sent</i>	0
<i>Total number of responses received</i>	25
<i>Number in support</i>	2
<i>Number of objections</i>	23

- 4.51. A site notice was displayed from 22/2/19 to 18/03/19 and the application was advertised in the local paper on 28/2/19. Following comments that the site notices had not been in place for sufficient time, a further site notice was displayed from 22/3/19 to 15/04/19. Twenty three objections were received from local residents and interested parties. They raised the following issues:

**Design**

- The design, size and height of new buildings are significantly in excess of the surrounding buildings & would create an intrusive impact as a result on this historic neighbourhood which among other things has views across the railway track to the Heath in the West.
- This proposed development is totally out of scale with the surrounding buildings, and seems not at all appropriate for the location. It would be an overbearing presence, with a very negative impact on the immediate surrounding area.
- Severe negative impact on the character of the Kentish Town Road junction; the building as proposed is much too tall for the site. A lower building - that doesn't overshadow the historic architecture of the corner pub and tube station - would be more suitable.

- The scale of this development feels out of scale with the surrounding buildings. The height and loss of light it would cause would be detrimental to this key area of Kentish Town.
- Development is much too tall and does not fit in with neighbouring buildings
- The proposed building takes little or no notice of the context: its height and the block like design would make it intrusive and quite out of keeping with what surrounds it.
- Artist's impressions are misleading as use proposed extensions of pavement area over railway line; access from the residents bin store through the commercial bin store looks convoluted.
- Has no architectural merit and would dominate the top of the high street.
- The proposed development amounts to overdevelopment of a key site in Kentish Town. The site is viewed from many directions and from all aspects it is out of scale as well as being of insensitive design, unattractive and block like.
- According to Camden's Design Review Panel, this development is an 'exceptional building' and the 'overall height of the buildings is acceptable and the stepped elements work well in views south along Highgate Road'. This is completely untrue. The height is unacceptable compared with neighbouring buildings and it is certainly not 'exceptional'.
- The view north towards the building no. 2 Highgate Road, at the V junction of Highgate Road and Fortress Road, will be spoiled by this oversized and dominant building.
- Doesn't comply with the KTNP which states 'the design of the new building [on this site] will respect and be sensitive to the height of existing buildings in the vicinity and setting'.
- The open views that can currently be enjoyed around the junction between Highgate Road and Kentish Town Road would also be blocked in large part by the new development. Part of the charm of that junction, which contains a number of new and well-liked cafes and shops, is its sense of openness.
- Views towards the heath would be obscured totally from all points north of the crossroads by this building, from Kentish Town Road, Leverton Place, and towards Fortress Road. The view towards Kentish Town Road from the beginning of Highgate Road and Fortress Road, at least as far as Falkland Road, would also be totally lost.
- This is far too tall for that site, looks quite out of keeping with the other facades and will appear oppressive in relation to the space around it.
- Consider developing this space in accordance with the KT Development Plan which acknowledges the importance of open spaces & community cohesion along the lines of a town square.

### Heritage

- The proposed block is too bulky and far too high for a key site at the heart of Kentish Town and adjacent to Listed buildings and conservation areas; it would dwarf the Assembly House pub;
- It is totally out of keeping with the historical buildings opposite and around it. It would dwarf the adjacent building, which is already by far the highest in the terrace, and the Bull and Gate.

### Internal Layout

- Concerns with basement (Plant room opens directly to uncompartmented fire escape stair) and ground floor layout (Entrance to retail not readily visible)

### Amenity

- Loss of light.
- Proposal impact on west/rear/ elevation
- Effect on the outlook from the back of 11 Leverton Street (we enjoy open views overlooking the existing Victorian rooftops of the Kentish Town Road.)
- Overlooking into bedroom of 11 Leverton Street
- Would block out light, particularly in the latter part of the day,
- This building, essentially a high wide wall, would increase the trapping of polluted air in the street, and prevent the incoming mitigating air from the Heath

### Transport

- Concern at construction at busy junction and how this would be managed; disruption to the flow of traffic along this busy road; construction would cause congestion
- Impact of noise from construction equipment.
- Collection of refuse would involve blocking lane for traffic up Highgate Road

### Affordable housing

- This development had better have the required percentage of realistically affordable homes included or I hereby register a strong objection to the plans;
- How many affordable housing units will there be? Unclear what affordable accommodation would be provided;
- It does nothing towards the need for social or even affordable housing in Kentish Town
- The housing will be unaffordable to normal people
- We need to provide affordable accommodation for key workers on modest salaries
- Emphasis should be placed on affordable housing, both rental and sales

### Basement

- Basement construction is in close proximity to substantial retaining wall to the railway

### Other

- Impact on local infrastructure & amenities.
- Primary and secondary school places are already at a premium in north Kentish Town, has this issue been considered by the planners?
- There is a surplus of retail space in Kentish Town
- No indication of window cleaning track, equipment or housing. Where is Lift motor room?

- 4.52. In addition to the objections from received from local residents and interested parties, there was also an objection on behalf of CTIL, Telefónica UK Ltd and Vodafone Ltd who operate a shared electronic communications radio base station on the rooftop of 379 Kentish Town Road (the adjoining building immediately to the northwest of the application site). The following issue was raised.

*The proposed development at 369-377 will materially affect the continued operation of the rooftop radio base station at 379 Kentish Town Road. Among other interference, it will completely block the transmission and reception of 2G, 3G, 4G and planned 5G RF signals from the two antennas that are presently sited on the rooftop of 379 Kentish Town Road directly above the building's southeast elevation. These two 120 degree multiband antennas currently provide radio-frequency coverage to Kentish Town town centre for O2 and Vodafone in an arc running from approximately 90 degrees (east) to 210 degrees (southwest).*

*CTIL, Telefónica UK Ltd and Vodafone Ltd object to the redevelopment proposal because of its seriously detrimental impact on the satisfactory continued operation of their existing shared rooftop installation at 379 Kentish Town Road.*

*There is no assessment of any health and safety implications of having 6 RF multi-band antennas operating on the adjoining rooftop, or any implications of the ICNIRP safety exclusion zones that spread out directly in front of the 6 antennas.*

*There is a current NPPF requirement, at paragraph 114, for LPA's to ensure, 'they have considered the possibility of the construction of new buildings or other structures interfering with broadcast and electronic communications services'.*

## **5. POLICIES**

### **5.1. National and regional policy**

NPPF 2019

The London Plan March 2016, consolidated with alterations since 2011

Draft London Plan consolidated suggested changes version (July 2019)

### **5.2. Local Plan**

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

- A5 – Basements
- D1 – Design
- D2 – Heritage
- D3 – Shopfronts
- CC1 – Climate change mitigation
- CC2 – Adapting to climate change
- CC3 – Water and flooding
- CC4 – Air quality
- CC5 – Waste
- TC1 – Quantity and location of retail development
- TC2 – Camden's centres and other shopping areas
- TC4 – Town centres uses
- DM1 – Delivery and monitoring
- T1 – Prioritising walking, cycling and public transport
- T2 – Car-free development and limiting the availability of parking
- T4 – Sustainable movement of goods and materials

### 5.3. **Kentish Town Neighbourhood Plan (Adopted September 2016)**

- Policy SW1: Supporting Small Business
- Policy SW3: Consecutive Secondary Shopping Frontages
- Policy D1: The View Of Parliament Hill
- Policy D3: Design Principles
- Policy D4: Non-Designated Heritage Assets
- Policy GO3: Biodiverse Habitats
- Policy CC1: Pre Application Consultation
- Policy CC2: Statements Of Community Consultation And Statements Of Neighbour Involvement
- Policy SP1: Kentish Town Square Phase 1
- Policy SSP1: Car Wash Site

Appendix 1: Projects

(Projects are community aspirations and are not statutory planning policies)

Kentish Town Square Project Phase 2 – Cil Priority

### 5.4. **Supplementary Planning Policies**

#### **Camden Planning Guidance**

- CPG Housing (March 2018)
- CPG Amenity (March 2018)
- CPG Basements (March 2018)
- CPG Employment sites and business premises (March 2018)
- CPG Planning for health and wellbeing (March 2018)
- CPG Public Open Space (March 2018)
- CPG Access for all (March 2019)
- CPG Air quality (March 2019)
- CPG Design (March 2019)
- CPG Developer contributions (March 2019)
- CPG Energy efficiency and adaptation (March 2019)
- CPG Student housing (March 2019)
- CPG Transport (March 2019)



**Draft Kentish Town Planning Framework (October 2018)**

The wider neighbourhood - Car wash site

## ASSESSMENT

The principal considerations material to the determination of this application are considered in the following sections of this report:

6	Land use
7	Affordable Housing
8	Viability
9	Housing Mix
10	Housing Quality
11	Access
12	Design and Appearance
13	Heritage Assessment
14	View Management Corridor
15	Archaeology
16	Basement
17	Amenity Impact
18	Transport
19	Energy and Sustainability
20	Air Quality Assessment
21	Biodiversity
22	Contaminated Land
23	Existing electronic communications infrastructure
24	Open Space
25	Employment and training opportunities
26	Planning obligations
27	CIL

## 6. Land Use

### 6.1. Loss of car wash

- 6.2. The existing use is a car wash (Class Sui Generis). A car wash may be considered to fall within the scope of policy E2 (Employment premises and sites) which seeks to retain land and buildings that are suitable for continued business use. However, the loss of the existing car wash has been agreed as being acceptable by virtue of the adoption of the Kentish Town Neighbourhood Plan, which does not require the retention or redevelopment of the site for employment land uses. The Neighbourhood Plan requires that the site is developed for residential and retail purposes and the proposed development would accord with this.

- 6.3. The site employs a limited number of car washing staff on a site that could not be readily used for any other meaningful employment purpose. It is of low quality and the commercial unit at ground and basement would provide a new form of employment.
- 6.4. Housing
- 6.5. Policy H2.D of the Draft London Plan states that boroughs should apply a presumption in favour of small housing development which provide between one and 25 homes through infill development on vacant or underused brownfield sites. The Council regards self-contained housing as the priority land-use of the Local Plan. The proposal would provide 14 self-contained flats and such provision would accord with Policy H1 of the Local Plan. Kentish Town Neighbourhood Plan (KTNP) includes Policy SSP1: Car Wash Site which supports proposals for the redevelopment of this site for mixed use with restaurant or retail use on the ground floor and residential accommodation above. The proposed housing on the upper floors would accord with Policy SSP1 of the KTNP.
- 6.6. A1/A3 unit (at ground and basement floor)
- 6.7. Policy TC1 'Quantity and location of retail development' seeks to focus new shopping and related uses in Camden's designated growth areas and existing centres and supports additional provision in Kentish Town 'town centre'. Policy TC2 'Camden's centres and other shopping areas' seeks to ensure that new development is of an appropriate scale and character for the centre in which it is located and to provide for and maintain a range of shops including independent shops, services, food, drink and entertainment and other suitable uses to provide variety, vibrancy and choice. The site falls within a secondary frontage of the Town Centre. Policy TC2 seeks to protect the secondary frontages as locations for shops (A1) together with a broader range of other town centre uses to create centres with a range of shops, services, and food, drink and entertainment uses which support the viability and vitality of the centre. Policy TC4 'Town centres uses' states the Council will ensure that the development of shopping, services, food, drink, entertainment and other town centre uses does not cause harm to the character, function, vitality and viability of a centre, the local area or the amenity of neighbours.
- 6.8. In accordance with Local Plan Policy TC2 and TC4 the Council will seek to prevent concentrations of uses that would harm the centre's attractiveness to shoppers or its residential amenity. The Council will therefore generally resist proposals that would result in more than 3 consecutive premises with the secondary frontages being in non-retail use. Policy SW3 of the Kentish Town Neighbourhood Plan resists changes of use resulting in more than two consecutive frontages being in non-A1 Retail usage (within Secondary Shopping Frontages). The neighbouring premise is in A1 use (Kentish Town Food and Wine). Therefore, the creation of an A3 unit at the application site would not result in more than two consecutive frontage being in non-A1 retail usage.

- 6.9. A commercial unit with either A1 or A3 at ground floor level is considered appropriate within this secondary frontage of the Town Centre and would accord with policy TC1, TC2 and TC3 of the Local Plan and with policy SSP1 of the Kentish Town Neighbourhood Plan.

## **7. Affordable Housing**

- 7.1. 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 1256sqm GIA of additional housing floorspace proposed, this would result in a requirement for 26% affordable housing (326.56sqm). For developments with capacity for 10 or more additional dwellings, the affordable housing should be provided on site.
- 7.2. The Council's Affordable Housing Development Co-ordinator has reviewed the scheme. The size of the scheme (1256sqm GIA) according to the current design would make on-site provision highly unlikely to be viable. The Design does not enable independent access from the ground floor to provide a separate core in order to separate the service costs. The only affordable housing tenure that could be considered would be Intermediate Rent but a Registered Provider is highly unlikely to have appetite for such a low threshold and it would also be difficult to secure inclusive rents in line with Camden's Intermediate Housing Strategy.
- 7.3. If affordable housing cannot viably be provided on-site, Policy H4 then requires the physical provision of affordable housing on an alternative site. However, the applicant and site owner holds no other land interests locally and therefore there is no prospect of this option being brought forward. Therefore, the Council's Affordable Housing Development Co-ordinator has agreed a Payment in Lieu would be the best option in this instance. The applicant has confirmed that the GEA of the residential floorspace would be 1,566sqm. The payment in lieu would be £2650 per sqm of affordable housing. This figure is the payment level for affordable housing. In this case the policy target is £1,078,974 (1566sqm x 0.26 x £2650).
- 7.4. However, the full policy target cannot be provided in this instance as it would make the scheme unviable, and the applicant has provided a viability report to justify this.

## **8. Viability**

- 8.1. 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.

- 8.2. Development appraisals work to derive a residual value. This approach can be represented by the simple formula below:  
*Gross Development Value - Development Costs (including Developer's Profit) = Residual Value*
- 8.3. 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. BPS have approached the Benchmark Land Value on the basis of an Existing Use Value (EUV) +, as directed by the NPPG. This produced a value of £359,000 to which BPS added a 10% premium to generate an EUV+ of £395,000.
- 8.4. The Cost Consultant has reviewed the Cost Plan for the proposed scheme prepared by Bristow Johnson, dated 13 December 2018, and concludes that:  
*The results of our benchmarking yield an adjusted benchmark of £3,401/m<sup>2</sup> that compares to the Applicant's £3,398/m<sup>2</sup>. We are therefore satisfied that the Applicant's costs are reasonable.*
- 8.5. BPS calculate that a surplus of £276,000 is produced on a 100% private iteration of the scheme. This has been agreed by the applicant and would be provided as a payment in lieu secured by Section 106 legal agreement.
- 8.6. The Council seeks to negotiate deferred housing contributions for developments where the provision of housing falls significantly short of targets in Development Policy H2 due to financial viability, and 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. In this case the policy target is £1,078,974 so the deferred contribution would be capped at £802,974. 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 and as close to the end of the development process as possible. This would be secured by legal agreement.

## **9. Housing Mix**

- 9.1. The proposed development provides 4 x 1-bed and 10 x 2-bed units. The Council acknowledges that there is a need and/ or demand for dwellings of every size shown in Table 1 of Policy H7. We expect most developments to include some homes that have been given a medium or lower priority level. We will expect proposals to include some dwellings that meet the high priorities wherever it is practicable to do so. One bedroom dwellings are a lower priority and two bedroom dwellings are a high priority. The development would provide 62% high priority dwellings (2-bed flats). Of the ten 2-bed flats, four would be 2-bed 4 person and six would be 2-bed 3 person. This is considered acceptable and the development would provide a mix of large and small homes in accordance with Policy H7.

## **10. Housing Quality**

- 10.1. Six of the units would be dual aspect and six of the units would have access to a terrace providing private outdoor amenity space. The areas of these external spaces meet the requirements of the Mayor's Housing SPG (Standard 26 and 27). In addition, four of the units (overlooking the railway cutting) would have French Doors with Juliet balcony. All remaining units have been provided with additional space internally. This additional space is included within large living spaces and the overall areas of these units are in excess of the minimum level required by the London Plan. The decision not to include balconies to all units is underpinned by the desire to ensure that the overall composition of the building is not compromised by extraneous external domestic forms or elements. Given the importance of achieving the highest quality design within this building, the approach adopted is to only provide external amenity spaces where these do not compromise the overall design. Therefore, such spaces are provided where they integrate into the elevations, namely within the cutback section to the rear and on the main roof element.
- 10.2. All of the flats would meet or exceed the London Plan minimum space standards for gross internal floorspace (London Plan Policy 3.5). All of the flats would have built in storage. All of the double bedrooms with the exception of flat type 'T2' would have a floor area of at least 11.5sqm and so would meet the London Plan requirement. Flat type 'T2' is a 2bed 4 person unit with two double bedrooms. There are four of these units in the development. One of these double bedrooms would comfortably exceed the minimum requirement (15.5sqm). The other bedroom would fall just short of the minimum requirement (11sqm). This is considered acceptable in this instance given the constraints of the site and the high quality of this unit type. All of the single bedrooms would have a floor area of at least 7.5sqm and so would meet the London Plan requirement for this type of room.
- 10.3. Refuse
- 10.4. The ground floor would incorporate bin stores for both residential and commercial use with access from Kentish Town Road and the residential bin store accessible from the residential foyer. The Council's technical guidance for recycling and waste specifies 140L per dwelling for mixed recycling; 23L per dwelling for food waste; and 120L per dwelling for general waste. Therefore 14 flats would require 1960L for mixed recycling plus 322L for food waste plus 1680L for general waste. The residential bin store would provide two 1100L bins for recycling, two 1100L bins for general waste and two 240L bins for food waste. This would meet the requirements of the Council's technical guidance.
- 10.5. There is no accurate guidance for the measurement of business waste as a conversion to square metres of floor space. Commercial waste arising's are calculated based on the industry type for each unit and planned assumptions for weekly waste production based on metres or sq. footage. The space provision within any internal storage footprint can be reduced where there is a higher frequency for collection i.e. daily or bi-weekly. The commercial bin store has a floorspace of 4.78sqm and has room for two 1100 litre bins. The waste storage facility is considered adequate for this development and would therefore accord with Policy CC5 (Waste).

#### 10.6. Internal noise

- 10.7. The proximity of the railway lines and the traffic on the local road network means noise impact would need to be mitigated. An Environmental Noise Survey and Acoustic Design Statement has been submitted. On the basis of BS8233:2014 the submitted report proposes internal noise levels as design targets in the proposed habitable rooms as set out in the table below.

Activity	Location	Desirable Internal Ambient Criteria	
		07:00 – 23:00	23:00 to 07:00
Resting	Living Rooms	35 dB LAeq,16hour	-
Dining	Dining Room/Area	40 dB LAeq,16hour	-
Sleeping (Daytime Resting)	Bedroom	35 dB LAeq,16hour	30 dB LAeq,8hour

- 10.8. The report demonstrates that acceptable internal noise levels would be achievable with high performance acoustic double glazing and a suitable ventilation strategy. Where ventilation is provided through the façade it would be acoustically attenuated to ensure the achievement of the proposed target internal noise levels is not compromised. The site's location adjacent to a railway cutting means that consideration must be given to ensuring that residential amenity is not impacted by vibration arising from the movement of passing trains (with a smaller secondary effect potentially arising from road traffic). An assessment of Train Induced Noise and Vibration has also been submitted. The table below details the Vibration Dose Values (m/s<sup>1.75</sup>) above which various degrees of adverse comment may be expected in Residential Buildings.

Time Period	Low probability of adverse comment	Adverse comment possible	Adverse comment probable
Daytime (07:00– 23:00)	0.2 to 0.4	0.4 to 0.8	0.8 to 1.6
Night-time(23:00–07:00)	0.1 to 0.2	0.2 to 0.4	0.4 to 0.8

- 10.9. The results of the assessment indicate that the majority of train movements are likely to be perceivable as tactile vibration within the proposed development. Also during periods of low background noise the majority of train movements are likely to be audible as ground-borne noise within the proposed development. Therefore the report suggests vibration isolation of the building. The report confirms the applicant has been in consultation with the building isolation specialist Farrat to formulate a suitable strategy to isolate the residential portion of the building. The proposed strategy, with further development at detailed design stage, would be deemed suitable for isolating the residential dwellings from ground-borne noise and vibration. Suitable internal noise and vibration levels within residential dwellings should therefore be achievable in accordance with the requirements of the development plan.
- 10.10. The Council's Environmental Health officer has reviewed the submitted information. The proposed mitigation would be acceptable and conditions would be included: to ensure that the habitable rooms would meet the noise standard specified in

BS8233:2014 (condition 6); to secure enhanced sound insulation between the flats and between the flats and the commercial use (conditions 7 and 8); to ensure vibration would not adversely affect occupiers (condition 22); and to ensure noise from plant would not exceed the Council's thresholds (condition 20).

## 11. Accessibility

- 11.1. Policy H6 includes a requirement for 90% of new build homes to comply with M4(2) (accessible and adaptable dwellings) and a requirement for 10% of new build homes to comply with M4(3) (wheelchair user dwellings). Four of the units (unit type 3) would be easily adaptable for occupation by a wheelchair user (M4(3)) and the remainder of the units would meet M4(2). This would be secured by condition. This would exceed the policy requirement. Doors would have 900mm front doors as well as 300mm clear width beside the door as required by M4(2) and M4(3). A platform lift would provide access from ground floor to basement of the commercial unit.

## 12. Design and appearance

- 12.1. The development proposal responds to the Kentish Town Neighbourhood Plan (KTNP) and the draft Kentish Town Planning Framework (October 2018). The KTNP includes 'Policy SSP1: Car Wash Site' which provides criteria for the redevelopment in the reasoned justification.
- a) There will be intensification of use of the site through a building of mixed use development, including retail or restaurant on ground floor and residential on upper floors.
  - b) The design of the new building will respect and be sensitive to the height of existing buildings in their vicinity and setting.
  - c) The building will be of high architectural quality

The draft Kentish Town Planning Framework (October 2018) includes the following guidance for the development of the 'Car wash site':

*This is a prominent and important allocated site in Kentish Town, forming a gateway between Kentish Town High Street and Highgate Road to the north. Given its prominent location, development of this site should be of exemplary design quality, it should future-proof the neighbourhood forum's aspirations for a square, allow links to any future development of the Murphy site and facilitate the delivery of the Heath Line.*

- 12.2. The site itself is significantly constrained. At the rear of the site is the railway retaining wall with a significant level drop to the railway and there is a Network Rail requirement for a 1m wide access zone. In addition, there is further Network Rail requirement for the piles to be set back by 3m from the rear of the site. KTNP policy SSP1 requires the pavement to be widened at the front of the site to facilitate the relocation of the bus shelter to increase safety for pedestrians and bus passengers.
- 12.3. Surrounding townscape
- 12.4. Located at a wide break in built form created by the railway cutting and junction with Kentish Town Road, the triangular site is one of a series of key corners in the

centre of Kentish Town. Other corners are marked by buildings of varying importance including Kentish Town Station, The Assembly House, and 2 Highgate Road.

12.5. At the junction of Regis Road and Kentish Town the townscape has a wide and open character deriving from the railway cutting and the absence of built form along the bridge. Although the Grade II listed Assembly House and the Bull & Gate public house are attractive buildings in the area, this is a zone of limited visual amenity.

12.6. The adjoining street block to the north (Nos. 379-387 Kentish Town Road) has a dilapidated appearance, with retail and food and drink units projecting forward to the back of pavement. The upper floor massing within this block, is set back, and rises to between 3 and 5 floors, with residential use within these upper floors.

#### 12.7. Site appraisal

12.8. The site contains single storey buildings and is used as a car wash. Its position just north of the railway cutting is prominent when viewed from Kentish Town station, and when travelling north beyond Kentish Town high street. The current mural on the exposed gable end of 379 Kentish Town Road highlights the visual prominence of this site.

12.9. The site currently detracts from the townscape quality and is cited as an eyesore in the Kentish Town Neighbourhood Plan. The blank boundary wall at approximately 4m high is overbearing and contributes to a hostile pedestrian environment. At 32m long, the boundary consolidates the break in the high street introduced by the railway cutting, and contributes to an exacerbated sense of disconnection between the shops and amenities of Kentish Town Road on either side of the railway cutting.

#### 12.10. Design response

12.11. The proposed development is for a building that occupies much of the development plot. It stands at six stories, rising to seven at the corner, comprising a ground floor commercial unit and residential accommodation above. The shallow, triangular plot deviates from the narrow and deep plots adjacent to it, facing the main road, and as such requires a design response appropriate to a prominent corner plot.

#### 12.12. Site layout and ground floor

12.13. The proposed building is more generous to the public realm than the existing use of the site. At ground floor the building line steps back behind the line of the current brick wall and site boundary to offer more space to the pavement, increasing its width to 5m (at its maximum). This would offer greater relief to the bus stop and ease pedestrian movement.

12.14. The proposal also sets the ground floor of the building back by 1.2m between the building and the railway wall to allow for a future pedestrian/cycle connection to Murphy's Yard. The ground floor has been designed on this rear elevation to respond and contribute to any future realisation of a new Kentish Town square above the railway, as set out by the Kentish Town Neighbourhood Plan.



#### 12.15. Building lines, scale and massing

- 12.16. The proposed building marks the corner and steps forward and upwards in a carefully considered manner. It is seven storeys above ground at its tallest and comprises a full storey basement, ground plus five storeys with a part seven storey element.
- 12.17. Much consideration has been given to building lines across the building. Upwards of the ground floor, the 1st-4th floors step back along the Kentish Town Road façade moving north along Highgate Road, following the established pattern of the buildings along the street. This device reduces the bulk and mass of the building and introduces a finer grain, reflecting the vertical proportion of the Highgate Road terraces. The proposals align the rear of the building, facing the railway cutting with the rear of the Grade II Listed Bull & Gate on Highgate Road, which is the closest building of architectural importance. Chamfering the building back here would reduce the mass of the building when viewed travelling north up Kentish Town Road.
- 12.18. The fifth floor is angled and stepped back to line with the neighbouring building and gives the composition a defined 'top'. This set back will distinguish the upper floors from the primary five storey body of the building and would be slightly obscured at street level, reading as a separate roof form.
- 12.19. The tallest element is at the apex of the site. This relates to and references the celebrated corners of other corner buildings such as the Assembly House. Locating the tallest element at the narrowest part of the site serves to minimise a sense of overbearing bulk at higher levels, whilst recognising its prominence.
- 12.20. The side flank elevation to the north has been carefully designed: the massing would step away from the neighbouring building. The lift shaft is expressed as a chimney stack and results in a softening of this flank wall. Together with a reduction in height to the northernmost element of the building, this would add relief to the neighbouring building.

#### 12.21. Detailed design and materiality

- 12.22. The building has been designed with attention to composition and detail across all elevations. The facades of key buildings within the context, such as The Assembly House and The Bull & Gate, are composed of three main parts: a strong base, a set forward retail base, a set-back upper body and, on some a celebratory top making a corner. As such the proposed building has a defined 'base' 'middle' and 'top' with a clearly marked corner.
- 12.23. The design seeks to create layers of texture, pattern and decoration into the facade of the building. There is an overall pattern created by brick panels setting back and forward across the building. Textured brickwork is then introduced to accentuate the inner panels. This high quality contemporary design response draws on surrounding influences, responding creatively to the site and is welcomed.

12.24. The considered attention to the composition of the façade and intricate detailing would enhance the character of the existing street. The overall design is brickwork with natural stone detailing. The proposed materials would respond contextually to the established palette in the area and are welcomed in this proposal, due to their robustness and ability to stand the test of time. The details of the materials would be secured by condition.

#### 12.25. Design Review Panel

12.26. The proposal was reviewed by Design Review Panel on 18<sup>th</sup> January 2019. The DRP had the following comments:

*The panel considers that the developing designs are of a very high quality and, with minor adjustments, will result in an exceptional building suited to its prominent location. The quality of the building will depend on the successful delivery of design detail, so the panel would support planning officers in making retention of the existing architects a condition of any planning permission. The panel feels that the overall height of the building is acceptable, but recommends that the northernmost element should be lowered by one floor. This would give a smoother transition in height to the neighbouring building and enable the building to sit more comfortably in its context. A two storey step up at the south could give more prominence to the 'prow' of the building. It asks that the option of widening the public route between the building and railway is explored, with the aim of futureproofing the site for the planned Heath Line access route to Hampstead Heath. More detailed comments are also provided on the appearance of the Kentish Town Road corner of the building; on internal layout; and on planting and public realm design.*

12.27. In response to DRP's comments, the following changes have been made:

- The northern party wall has been set in at the corners (from the side boundary with 379 Kentish Town Road). This creates a "concealed chimney breast" for plant and lift core which abuts the side boundary with 379 Kentish Town Road. In addition, the northern flank of the 5<sup>th</sup> floor has an amended fin arrangement and a small window. The overall height of the 5<sup>th</sup> floor (including the lift core) was reduced by 200mm.
- The route between the building and the railway wall was increased from 1m to 1.2m.
- The facade has been simplified by removing the vertical stone details and keeping the number of windows types to a minimum.
- At ground floor level, the entrance to the commercial unit would be a glazed corner and the building line would be stepped back another 200mm to offer more relief to the pavement. A locked gate would be added to the access route to the west of the site.

12.28. Since planning submission, the northern element has been further revised to further reduce the perceived bulkiness of this element and to focus interest on the taller tower element at the southern apex. The following revisions have been made:

- Reduced the parapet for level 5 by 420mm, resulting in a total reduction of 620mm from the DRP scheme.
- Set back of the terrace balustrade to the unit at 6<sup>th</sup> floor and omitted from the rest of the 6<sup>th</sup> floor roof.

- The flat duct that runs along the roof boundary has been centred so that it would not be visible from the street.
- The lift enclosure has been narrowed to make it less bulky when viewed from the North.

### Conclusion

12.29. The proposals display a considered and creative design response to this site, regarded as an eyesore by the community. The development shows generosity to the public realm, and would help to activate and enhance this part of the town centre. The composition and detailing are well considered and this proposal demonstrates a high quality example of how to positively plan for growth in an established town centre. Although a storey was not removed from the northern end of the building, as originally suggested by the DRP, careful consideration was given to a series of amendments to address the relationship with the neighbouring terrace and officers consider these amendments to be successful. Overall, it is considered that the proposed development is of high architectural quality, which would provide a significant improvement to the townscape over the existing car wash. In order to ensure the architectural quality at the build stage the applicant has agreed to retain the architect. This would be secured by Section 106 legal agreement.

### **13. Heritage Assessment**

- 13.1. The site does not lie within a conservation area, however, it is close to the Kentish Town Conservation Area which lies just to the east of the site (approx. 15m). Bartholomew Estate Conservation Area which is further away (approx. 180m), lies to the south-east of the site. To the south-west (approx. 290m) is the Inkerman Conservation Area and further north (approx. 325m) is the Dartmouth Park Conservation Area.
- 13.2. The buildings immediately to the north-west of the site, 371-387 Kentish Town Road, range from four storeys closest to the site to three storeys, built possibly in the early 19th century. They are not listed but are considered to be of some merit. Further north, are several grade II listed buildings, the Bull & Gate Pub, 1-7 Highgate Road, The Forum and the Apostolic Church, which form the foreground of the view looking south from Highgate Road. To the east of the site, across Kentish Town Road, are the listed Assembly Pub and 1A Leverton Street and within Leverton Place and Leverton Street, the listed small scaled Leverton Street terraces.
- 13.3. Kentish Town Neighbourhood Plan has designated 8 non-designated heritage assets; the relevant ones to the site being the Canopy at Kentish Town Square, Leverton Place and 298 Kentish Town Road.
- 13.4. The nearest listed building to the site is 1A Leverton Place, a Georgian two storey building, at the junction of Kentish Town Road and Leverton Place. Its significance is attributed to its aesthetic and historic values. The building is however offset from Kentish Town Road and will not be impacted directly. To the south-east of the site and at the corner of Kentish Town Road and Leighton Road is the Assembly Public House, a grade II listed late 19th century pub, 4 storeys, elaborately decorated

including a turret, and regarded as a local landmark. Its significance is attributed to its historic, architectural, evidential and communal values. Due to their close proximity, the proposal is likely to affect the settings of 1A and the pub, however, the proposal will provide a beneficial impact in completing the currently incomplete townscape on the western side of Kentish Town Road and it will form an interesting counterpoint to the Pub as it will appear in conjunction with the Assembly Pub building in views from the north and the south along Kentish Town Road, Highgate Road and Fortress Road.

- 13.5. Opposite the southern tip of the application site, is Leverton Place, a rare example of a virtually intact and continuous granite setted carriage way and considered a non-designated heritage asset (NDHA) by the KTNF (Kentish Town Neighbourhood Forum Plan). Further east through Leverton Place are the listed buildings on Leverton Street at approximately 50m from the application site. The listed terraces of Leverton Street are of late 19th century and form a charming group of small-scale, painted houses with distinctive decoration and are described in the Kentish Town Conservation Area Appraisal as the 'smallest scale terraced development' in the area. The significance of these heritage assets including the listed buildings on Leverton Street/Place and this part of Kentish Town Conservation Area (Character Area 4 - Leverton Street and Falkland Place), lies in their distinct small scaled architecture, historical and evidential values. The listed buildings on Leverton Street are some distance from the site and so have minimal visibility from the site. Only one of the buildings in the listed terrace (No 6 Leverton Street) would have a view towards the edge of the site and the open view over the railway. Part of the open view over the railway would be obscured by the proposal but it is noted that most of the open view would still remain. A glimpsed view can be seen from the junction of Leverton Street and Leverton Place towards the proposal. As such, the proposed development would not harm the setting or significance of these listed buildings.
- 13.6. The closest part of the Kentish Town Conservation Area to the site is Character Area 1 - Kentish Town Road. This sub area is made up of the Kentish Town Road elevation which is characterised by commercial buildings: the Assembly House Public House with four storeys, then a row of three stock brick Victorian shops. Key Views according to Kentish Town Conservation Area Statement are ones looking up and down Kentish Town Road. The proposal will have a moderately beneficial impact to these views.
- 13.7. The proposal is likely to have a moderate impact on the setting of nearby listed buildings on the western side of Kentish Town Road including the Bull and Gate Public House, 1-7 Highgate Road, The Forum and the Apostolic Church and will appear in short and long distance views. The significance of these buildings in general is attributed to the development of Kentish Town Road, i.e., their evidential values in addition to their architectural and historic values. The proposal's impact would be neutral as it follows the stepped nature of the existing buildings and in addressing the currently incomplete site at the junction with the railway lines and Leighton Road.
- 13.8. On Fortress Road are several locally listed buildings whose setting will be neutrally affected by the proposal. It will be visible in several short and long distance views from Kentish Town Road, Highgate Road and Fortress Road, however, the proposal

will benefit the view from the junction of Kentish Town Road and Leighton Road in addressing the current poor context on the western side and in creating an appropriate landmark corner which will provide an appropriate juxtaposition with the historic Assembly House Pub.

- 13.9. The proposal is likely to be visible from parts of the Bartholomew Estate Conservation Area and the Inkerman Conservation Area, however due to their distance, the development will not impact these conservation areas. The proposal will appear in conjunction with the Assembly House Pub in views looking north-west from Islip Street near the junction with Peckwater Street from within the Bartholomew Conservation Area, and will provide more visual interest to the townscape. Dartmouth Park which is further north will not be impacted by the proposal owing to its distance.
- 13.10. The proposal follows the stepping nature of the adjacent neighbouring buildings and steps up to the south. It will appear in conjunction with the nearby listed buildings. It will form an interesting counterpoint to the nearby Assembly Pub and will create interest in near and long distance views.

#### **14. View Management Corridor**

- 14.1. The site falls within the viewing corridor 'Kenwood viewing gazebo to St Paul's Cathedral'. The proposed building remains significantly below the lower plane of the viewing corridor so would have no impact or effect upon the viewing corridor.

#### **15. Archaeology**

- 15.1. The site is in an Archaeological Priority Area. An Archaeological Desk-based Assessment has been submitted to support the application. There is considered to be a Low archaeological potential for heritage assets dating from the Prehistoric to Medieval periods and a High potential for heritage assets of Post-medieval date within the Site. The Greater London Archaeology Advisory Service has reviewed the submitted information and confirmed that given the relatively small size of the site and the limited potential for archaeological remains to pre-date the late post-medieval period they would not be requesting any further archaeological work or conditions.

#### **16. Basement**

- 16.1. A single storey basement is proposed with a floor to ceiling height of 3m. The basement would be beneath the footprint of the proposed building and would be set in by 3m from the rear boundary as required by Network Rail.
- 16.2. The applicant has provided a basement impact assessment (BIA). This has been assessed by the Council's independent auditor Campbell Reith. The Audit reviewed the Basement Impact Assessment for potential impact on land stability and local ground and surface water conditions arising from basement development in accordance with Local Plan policy A5 and the technical procedures set out in CPG5.

- 16.3. A ground movement assessment (GMA) has been carried out and the potential damage to the neighbouring structure assessed. The BIA states that the category of damage will not exceed Burland Category 1 (Very Slight). A preliminary assessment of potential impacts to the Network Rail retaining wall and tracks has been undertaken. Network Rail should be consulted and an asset protection agreement entered into, as required. To the north, the LUL tunnels are located deeper than the proposed structures and 6m to the north of the northern boundary. LUL should be consulted and an asset protection agreement entered into, as required. The site is located in the vicinity of a historic "lost river". As no alluvial soils were identified in the site investigation boreholes, it is accepted that the proposed works would not impact the wider hydrogeological environment. A flood risk assessment was completed confirming that the risk of flooding is low. The independent audit confirms the BIA meets the requirements of CPG Basements. A condition would be included to secure details of the structural engineer (Condition 18) and to ensure the development was carried in accordance with the recommendations of the BIA and the subsequent Audit (Condition 19). Condition 19 would ensure that the Audit's recommendations of consultations with Network Rail and LUL are carried out by the applicant. In addition Condition 26 requires detailed design and method statements for basement construction prepared in consultation with London Underground. This was requested by TFL.

## **17. Amenity Impact**

### **17.1. Daylight and Sunlight**

- 17.2. A daylight and sunlight report was submitted by the applicant to support the application. The report assesses the potential impact of the development on nearby residential properties including: 300 Kentish Town Road; 304 Kentish Town Road; 306 Kentish Town Road; 308 Kentish Town Road; 310 Kentish Town Road; 312 Kentish Town Road; 314 Kentish Town Road; 316-318 Kentish Town Road; 320 Kentish Town Road; 322 Kentish Town Road; 379 Kentish Town Road; and 381 Kentish Town Road.
- 17.3. There would be no material change in daylight and sunlight to the following properties: 300 Kentish Town Road; 304 Kentish Town Road; 306 Kentish Town Road; 320 Kentish Town Road; 322 Kentish Town Road; 379 Kentish Town Road; and 381 Kentish Town Road. These properties are fully compliant with the BRE criteria.
- 17.4. 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.
- 17.5. The No Sky Line (NSL) divides points on the working plane which can and cannot see the sky and so provides a measure of daylight distribution within the room. Areas beyond the No Sky Line, since they receive no direct daylight, usually look dark and gloomy compared with the rest of the room, however bright it is outside. BRE states, if following construction of a new development, the no sky line moves

so that the area of the existing room, which does not receive direct sunlight, is reduced to less than 0.8 times its former value this will be noticeable to the occupants and more of the room will appear poorly lit.

- 17.6. In terms of sunlight, the BRE states that if a window receives more than 25% of Annual Probable Sunlight Hours (APSH) including at least 5% of APSH in the winter months between 21 September and 21 March, then the room should still receive enough sunlight. Any reduction in sunlight access below this level should be kept to a minimum. If the available sunlight hours are both less than the amount above and less than 0.8 times their former value, then the occupants of the building will notice the loss of sunlight.

#### 308 Kentish Town Road

17.7. *Daylight*

- 17.8. This property is located to the east of the site directly opposite and is retail use at ground level with residential above. There are two single aspect bedrooms at first floor level with a retail unit at ground floor level. The rooms are fully compliant with BRE guidelines in terms of Vertical Sky Component (VSC). However, both bedrooms would experience reductions in No-Sky Line (NSL). The reduction to one bedroom would be 30% and to the other bedroom would be 36% (this is greater than the 20% allowed for by BRE).

- 17.9. The existing car wash allows a much higher level of daylight and sunlight than one would expect in an inner city context, so some flexibility has to be accepted when considering a comprehensive redevelopment. In addition, bedrooms are deemed less important under the BRE guidelines due to their transient use. As these rooms comply with the VSC daylight metric the deviations are regarded minor and acceptable under the BRE guidelines.

17.10. *Sunlight*

- 17.11. The BRE guide suggests that APSH sunlight levels are assessed to main living rooms which face within 90 degrees of south. The windows facing the proposal serve bedrooms rather than the main living space. As such, the windows to this property are not relevant for detailed assessment under the BRE criteria.

#### 310 Kentish Town Road

17.12. *Daylight*

- 17.13. This property is located to the east of the site directly opposite and is retail use at ground level with residential above. The reduction in VSC to the three windows at first floor is in the range of 30 - 32% so the reduction in daylight is likely to be noticeable. However, the retained VSC levels for the three windows, at 25.1%, 25.5%, and 26.1%, would be only just below the recommended 27% and would provide a good level of light for this urban context.

17.14. The NSL has been calculated based on the three windows serving two rooms, to offer a worst case scenario. Based on this approach, the room served by two of the windows would meet the guidelines with a 20% loss. The room served by the remaining window would suffer a higher loss of more than 20%, but the room would nonetheless retain 50% daylight distribution. As the room layouts are not known the VSC levels are considered the primary metric and the impacts are considered acceptable within the urban context of the site, and the under-developed and open nature of the current site making the impact of any built form more keenly felt.

17.15. *Sunlight*

17.16. It is unclear if any of the windows serve main living space as layouts are unavailable. The Annual Probable Sunlight Hours (APSH) results show that the first level accommodation will retain sunlight levels well in excess of the target of 25% total annual probable sunlight hours and 5% for winter. The property is therefore fully compliant for APSH sunlight targets.

312-314 Kentish Town Road

17.17. *Daylight*

17.18. This two-storey building is located to the east directly opposite across Kentish town Road. It comprises 2 retail units at ground with 2 flats located at first level. The rooms facing the site at first floor level are bedrooms. The reduction in VSC to the four windows at first floor serving the two flats is in the range of 26 - 31% so the reduction in daylight is likely to be noticeable for both flats. The retained VSC levels for the four windows are 26%, 25.6%, 25.2% and 25.1%, which are just below the recommended 27% and present a good level of daylight for the urban context. Furthermore, the NSL results confirm a high level of daylight amenity with both bedrooms retaining at least 0.9 times their former value in the proposed condition.

17.19. *Sunlight*

17.20. In relation to sunlight, none of the windows overlooking the site serve main living space. As such they are not relevant for APSH assessment under the BRE guidelines.

316-318 Kentish Town Road

17.21. *Daylight*

17.22. This 2-storey building is located to the east of the site. The property has four windows which overlook the site which serve 2 bedrooms. One of the four windows only just fails the VSC test with 23% relative reduction. However, the retained VSC level would be 26.8% which would provide a good level of daylight and represents a very marginal shortfall against the target of 27%. Furthermore, the NSC results confirm a high level of daylight amenity with both bedrooms retaining at least 0.9 times their former value in the proposed condition. All other windows pass the VSC test and overall, the results for daylighting are considered acceptable.



#### 17.23. *Sunlight*

17.24. The windows to the first level flats serve bedrooms and are not relevant for sunlight assessment under the BRE guidelines, although they are nonetheless compliant.

#### 17.25. Summary

17.26. Development of a previously underutilised site may inevitably lead to changes to neighbouring amenity however the results from these assessments demonstrate a good level of compliance with the BRE criteria in terms of the primary Vertical Sky Component test and secondary No Sky Line assessment.

17.27. Where localised deviations do occur, these are generally marginal transgressions affecting bedrooms. All rooms retain very high absolute levels of VSC daylight (averaging c.26% VSC). These are excellent levels of amenity for an urban location and, as such, the effects are considered minor and wholly acceptable under the BRE guidelines.

#### 17.28. **Overlooking / Privacy**

17.29. To ensure privacy, it is good practice to provide a minimum distance of 18m between the windows of habitable rooms in existing properties directly facing the proposed development. With the focus of the proposed building being the east and west elevations (facing onto the street and across the railway lines respectively), residents will instead face either into a natural 'cross street' relationship with neighbouring residents or the more open views across the railway lines. The distance between the proposed windows on the east elevation and the windows of residential properties on the opposite side of Kentish Town Road is approximately 20m. This would exceed the minimum distance and so would ensure privacy.

17.30. The development includes balconies to the rear of the site overlooking the railway. The balconies would be adjacent to the rear boundary with 379 Kentish Town Road. The rear elevation of the proposed development is 2.7m beyond the rear elevation of No.379. Therefore, there would be no opportunities for overlooking into the windows of this property. The rear garden of No. 379 has a structure immediately adjacent to the side boundary. Given this structure, the development would not overlook the immediate garden of No. 379. Furthermore, given the commercial nature of the ground floor, it is unlikely that the rear garden is in residential use.

#### 17.31. **Noise impact of the development**

17.32. Plant equipment and ventilation requirements relating to the proposed retail floorspace have been prepared on the basis of a restaurant (Class A3) use within the development. No specific details of plant have been provided. Therefore a condition is recommended (condition x) to require full details of a scheme for extraction, ventilation and cooling including manufacturers specifications, noise levels and attenuation to be submitted to and approved by the Local Planning Authority in writing prior to the first use of the development.

### 17.33. Restaurant – proposed A3 Use impact

- 17.34. Where food, drink and entertainment uses are permitted, they will need to be managed to protect the amenity of residents. A condition would be included to control the hours of operation to ensure the use as a restaurant would not harm the amenity of the area (condition 24).

## 18. Transport

- 18.1. The site is located on Kentish Town Road (A400) in Kentish Town and is easily accessible by public transport (PTAL rating is 6a). The site is in close proximity to Kentish Town station (National Rail and Northern Line). In addition, bus stops serving various routes are located nearby on Kentish Town Road, Fortress Road, Highgate Road and Leighton Road.
- 18.2. Kentish Town Road (A400) forms part of the Strategic Road Network (SRN). Camden is the highway authority for Kentish Town Road. However, TfL has a duty under the Traffic Management Act 2004 to ensure that any development does not have an adverse impact on the SRN.
- 18.3. Cyclists and pedestrians make up a significant proportion of the traffic in the vicinity of the site, particularly during peak periods.
- 18.4. Trip generation
- 18.5. The proposals would not generate a significant increase in trips to and from the site when compared to the existing use. It is accepted that most trips associated with the 'A' class uses would already be taking place in the local area (i.e. passing trade). The development would be car-free and the majority of trips would be made by sustainable modes of transport. Trips by motor vehicle (e.g. deliveries) would be reduced, bearing in mind the existing use of the site as a car wash and valeting centre.
- 18.6. The proposals would not generate a significant increase in trips to and from the site and a travel plan is not required for a development of this scale.
- 18.7. Car parking
- 18.8. The site is located within the East Kentish Town controlled parking zone (CPZ CA-M). Parking controls are in place in resident bays and pay to park bays, and on single yellow lines from 0830 to 1830.
- 18.9. The proposed development would not benefit from any on-site car parking spaces and would therefore be car-free in line with the requirements of the development plan. It is noted that the site is easily accessible by public transport and there would not be an essential need for staff or visitors to travel to and from the site by private motor vehicle. However, residents, staff and visitors in possession of a blue badge would be able to park on the public highway in the general vicinity of the site.

- 18.10. A car-free planning obligation would be secured by legal agreement in accordance with Policy T2 if planning permission were granted.
- 18.11. Cycle parking
- 18.12. Policy T1 requires cycle parking facilities to be provided for developments in accordance with the minimum requirements of the London Plan.
- 18.13. The proposal would provide 14 flats (10 x 2-bed units and 4 x 1-bed unit). The London Plan minimum requirement would be 24 long stay cycle parking spaces for residents. The plans indicate that 32 covered, secure and fully enclosed cycle parking spaces would be provided for residents in a cycle store at basement level, with step-free access via a lift. This level of provision exceeds the minimum requirements of the existing and emerging version of the London Plan.
- 18.14. The proposal would create 255 sqm of retail (A1 or A3) floor space. The London Plan minimum requirement would be 2 long stay cycle parking spaces for staff and 13 short stay spaces for visitors. The plans indicate that 2 covered, secure and fully enclosed cycle parking spaces would be provided for staff in a cycle store at ground floor level. This level of provision meets the minimum requirement of the existing and emerging versions of the London Plan.
- 18.15. The Council generally expects visitor cycle parking facilities to be provided within the site boundary. However, it is acknowledged that this would be difficult for this particular site. An off-site cycle parking contribution of £2,000 will be secured as a section 106 planning obligation if planning permission is granted. This will allow the Council to provide 7 'Camden M' stands on the public highway in the general vicinity of the site. Initial investigations suggest that this should be possible slightly to the south of the site.
- 18.16. The provision and ongoing retention of 34 covered, secure and fully enclosed cycle parking spaces within the property would be secured by condition if planning permission is granted (32 for residents and 2 for staff) (condition 9).
- 18.17. Bus shelter relocation
- 18.18. The proposal includes a slight relocation of the existing bus shelter to provide additional space for pedestrians. This is welcomed as it would help to address a known pinch point where pedestrian congestion is an issue. Moreover it would accord with Site Specific Policy SSP1 (Car wash site) of the Kentish Town Neighbourhood Plan which states:
- "Development will be supported that includes an agreement with L B Camden and Transport for London to relocate the bus shelter to increase safety for passengers and passing pedestrians alike".*
- 18.19. Transport for London (TfL) has pointed out that a new and improved bus shelter (a 3-bay shelter rather than the existing 2 bay shelter) would need to be provided. A section 106 planning obligation would secure a larger bus shelter if planning permission is granted.

#### 18.20. Highway works

18.21. The footway directly adjacent to the site on Kentish Town Road is likely to sustain significant damage because of the proposed construction works. In addition, a redundant vehicular crossover would need to be removed and repaved as footway. The Council would need to undertake remedial works to repair any such damage following completion of the proposed development.

18.22. A highways contribution would be secured as a section 106 planning obligation if planning permission is granted to carry out the remedial works. The highway works would be implemented by the Council's highways contractor on completion of the development. A cost estimate for the highway works (£13,377) has been prepared by the Council's Transport Design Team.

#### 18.23. Deliveries and other servicing activities

18.24. All deliveries, refuse and recycling collections and other servicing activity would be accommodated from the public highway in the general vicinity of the site. Such activities would take place from yellow lines directly adjacent to the site on Kentish Town Road (i.e. either side of the bus stop). There is some concern that deliveries, refuse and recycling collections and other servicing could have an unacceptable impact on road users if not sufficiently managed. A servicing management plan would therefore be secured as a section 106 planning obligation if planning permission were granted.

#### 18.25. Managing and mitigating the impacts of construction

18.26. Construction management plans (CMPs) are used to demonstrate how developments will minimise impacts from the movement of goods and materials during the construction process (including any demolition works).

18.27. The site is located at the gateway to Kentish Town. This part of the borough suffers from severe traffic congestion during peak periods. The primary concern is public safety but we also need to ensure that construction traffic does not create (or add to existing) traffic congestion in the local area. The proposal is also likely to lead to a variety of amenity issues for local people (e.g. noise, vibration, air quality, temporary loss of parking, etc.). The Council needs to ensure that the development can be implemented by mitigating impact on amenity and ensuring the safe and efficient operation of the highway network in the local area. A detailed CMP would therefore be secured via a Section 106 planning obligation if planning permission is granted. This would be based on Camden's established CMP pro-forma.

18.28. The Council would expect construction vehicle movements to and from the site to be scheduled to avoid peak periods to minimise the impacts of construction on the transport network. The contractor would need to register the works with the Considerate Constructors' Scheme. The contractor would also need to adhere to the CLOCS (Construction Logistics and Community Safety) standard.

18.29. The development, if approved, would require significant input from officers. This would relate to the development and assessment of the CMP as well as ongoing

monitoring and enforcement of the CMP during demolition and construction. A CMP implementation support contribution of £7,565 would be secured via a Section 106 planning obligation if planning permission were granted.

18.30. A further requirement to form a construction working group consisting of representatives from the local community would also be secured via a Section 106 planning obligation if planning permission were granted.

18.31. Basement Excavations Adjacent to the Public Highway

18.32. The proposal would involve basement excavations directly adjacent to the public highway on Kentish Town Road. The Council has to ensure that the stability of the public highway adjacent to the site is not compromised by the proposed basement excavations.

18.33. The applicant would be required to submit an 'Approval in Principle' (AIP) report to our Highways Structures & Bridges Team within Engineering Services as a pre-commencement Section 106 planning obligation. This is a requirement of British Standard BD2/12. The AIP report would need to include structural details and calculations to demonstrate that the proposed development would not affect the stability of the public highway adjacent to the site. The AIP would also need to include an explanation of any mitigation measures which might be required. The AIP report and an associated assessment fee of £1,800 would need to be secured via Section 106 planning obligations if planning permission is granted.

18.34. Summary and Conclusions

18.35. The proposal would be acceptable in terms of transport implications subject to conditions and planning obligations being secured by legal agreement.

**19. Energy and Sustainability**

19.1. 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 CO<sub>2</sub> emissions below the maximum threshold allowed under Part L 2013 achieved on site, and any remainder offset.
- b) maximum feasible CO<sub>2</sub> reduction beyond Part L 2013 in the non-residential areas. GLA guidance on preparing energy assessments and Energy Efficiency and Adaptation CPG should be followed. In particular, improvements should be sought on the minimum building fabric targets set in Part L of the building regulations

19.2. Policy CC1 requires all developments to achieve a 20% reduction in CO<sub>2</sub> emissions through renewable technologies (the 3rd stage of the energy hierarchy) wherever feasible, and this should be demonstrated through the energy statement.

19.3. 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 CO<sub>2</sub>/ yr over a 30 year period), which will be used to secure the delivery of carbon reduction measures elsewhere in the borough.

- 19.4. The energy hierarchy has been followed. Substantial 'Be Lean' savings are made in both the commercial and residential new build. Solar PV and air source heat pumps are proposed for Be Green. Overall CO<sub>2</sub> reduction of 16% in residential is a significant shortfall from the 35% onsite minimum target. Be Green stage CO<sub>2</sub> reduction of 4.5% in residential is a significant shortfall from the 20% minimum target. Given the shortfalls a condition is recommended to require an improved CO<sub>2</sub> and renewables strategy prior to discharge of the s106 Energy Efficiency & Renewable Energy Plan, including feasibility of increased renewable energy capacity. The improved energy reductions secured by this condition (condition 27) would be secured through an energy efficiency and renewable energy plan planning obligation in the legal agreement.
- 19.5. The applicant's thermal modelling shows no unacceptable overheating in the units. Given this, the applicant is required to confirm that the active cooling functions of the MVHR and ASHP systems are permanently and irreversibly removed or disabled. Details showing how this would be technically achieved would be secured via condition (condition 28).
- 19.6. Developments must be designed to be water efficient. This can be achieved through the installation of water efficient fittings and appliances (which can help reduce energy consumption as well as water consumption) and by capturing and re-using rain water and grey water on-site. Residential developments will be expected to meet the requirement of 110 litres per person per day (including 5 litres for external water use). This would be included in the sustainability plan and also secured by condition (condition 31).
- 19.7. The submission did not include adequate consideration of sustainable construction and design principles as required by Policy CC2. Therefore a condition is recommended to require an improved sustainability strategy prior to discharge of the s106 Sustainability Plan, including feasibility of a green roof compatible with solar PV (condition 28). The sustainability measures secured by this condition would be secured through a s106 sustainability plan.
- 19.8. Carbon Offsetting
- 19.9. 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 £37,437 and this would be secured by legal agreement. As stated above, given the shortfalls in CO<sub>2</sub> reduction, a condition is recommended to require an improved CO<sub>2</sub> and renewables strategy. Should further improvements in CO<sub>2</sub> emissions be identified via additional on-site measures the carbon offsetting contribution would be accordingly reduced.

#### 19.10. Surface water run off

- 19.11. 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.
- 19.12. The applicant has submitted a 'Flood Risk Assessment and Surface Water Drainage Strategy Report' and has completed the Council's SUDs pro forma. A blue roof would be used for attenuation. It is proposed to restrict the blue roofs to 2l/s in total. The blue roofs would connect into the newly proposed permeable paving at ground level. The tanked permeable paving would be located in the hardstanding areas surrounding the site and would connect into a flow control chamber which would restrict the outfall to 1.8l/s (the minimum flow rate a Hydrobrake unit can accommodate). The permeable paving has been designed for the 1 in 100 year + 40% storm event. The MicroDrainage calculations discharge rates are considered acceptable. A condition would require final details of the SUDs and would ensure that the specified run-off rates were achieved (condition 16).

#### 20. **Air quality assessment**

- 20.1. All developments are expected to meet the Mayor's Air Quality Neutral requirements. The applicant has submitted an air quality assessment (AQA). The report reviews the existing air quality conditions in the vicinity of the proposed development site and the likely air quality impacts resulting from the proposed development.
- 20.2. The proposed development is located in the LBC Air Quality Management Area which is defined to cover the whole borough for annual mean NO<sub>2</sub> and daily average PM<sub>10</sub> concentrations.
- 20.3. An Air Quality Assessment has been submitted which assesses the potential impact on local air quality during both the construction and operational phases of the development, with recommendations made for mitigation where appropriate.
- 20.4. During the construction phase, the site has the potential to generate dust nuisance beyond the application boundary. A Dust Management Plan which would be part of a Construction Management Plan (secured by legal agreement) would ensure the impacts would be effectively minimised and are therefore unlikely to be significant. The installation of air quality monitors for the duration of the construction of the development would be secured by condition (Condition 12). All non-road mobile machinery (NRMM) would comply with the emission standards specified in the Mayor of London's Control of Dust and Emissions during Construction and Demolition SPG. This would be secured by condition (Condition 13).

- 20.5. Emissions from operational traffic associated with the proposed development are not anticipated to significantly affect local air quality however dispersion modelling of emissions from traffic on the local road network has been undertaken to ascertain the likely level of exposure of future occupants of the proposed development to elevated nitrogen dioxide and particulate concentrations. The assessment indicates that there will be an exceedance of the annual mean NO<sub>2</sub> objective up to first-floor level. Mechanical ventilation with NO<sub>x</sub> filtration (NO<sub>x</sub> filtration at first floor level only has therefore been recommended. Details of the mechanical ventilation would be secured by condition (Condition 23).
- 20.6. An Air Source Heat Pump system is proposed for heat and water. Therefore, there will be no building related on-site emissions associated with the proposed scheme. Given this, the proposed development has been assessed as air quality neutral with respect to building-related emissions.

## **21. Biodiversity**

- 21.1. The site is adjacent to the railway embankment and the opposite embankment (45m from the site) is designated a borough Site of Nature Conservation Importance (SINC) by English Nature. CPG Biodiversity provides a description of the SINC and states these railsides are varied and support a variety of habitats including blocks of secondary woodland dominated by sycamore (*Acer pseudoplatanus*) with ash (*Fraxinus excelsior*) and silver birch (*Betula pendula*). These are interspersed with areas of scrub, grassland and tall herbs. The habitats present are closely linked to railside management, with vegetation clearance setting back succession.
- 21.2. The Mayor's 'All London Green Grid' Supplementary Planning Guidance (SPG) identifies a strategically important landscape corridor which runs close to the site. The Nash Ramblas Link is a continuous route (partly in Camden) connecting Parliament and the Thames with Parliament Hill and Hampstead Heath. The corridor enters the London Borough of Camden at Regent's Park and includes the SINC identified above (CaBI04 Kentish Town City Farm, Gospel Oak Railsides and Mortimer Terrace Nature Reserve). This corridor although recognised as a strategic corridor within the Mayor's SPG, passes through large areas of very urban streets with little or no biodiversity valued habitat so cannot be considered currently as a viable wildlife corridor. There is therefore an opportunity to continue improving links between open spaces to improve access for recreation and corridors which allow species to move between habitats. The Mayor's SPG identifies a strategic gap in the Nash Ramblas link between Regent's Park and Hampstead Heath.
- 21.3. Policy A3 states we will grant permission for development unless it would directly or indirectly result in the loss or harm to a designated nature conservation site. It also states we will secure improvements to green corridors, particularly where a development scheme is adjacent to an existing corridor. Developments should give consideration to the need for species to move between habitats. Proposals should therefore seek to connect with existing green corridors where it is appropriate to do so. Policy A3 supports incorporating biodiversity enhancing measures within developments.



- 21.4. The railway lines lie significantly below (8-10 metres) the site and there is a solid retaining embankment wall between the site and the railway line. The retaining wall is an impermeable and permanent barrier between the identified strategic gap in the green link and the application site which means that no flora and fauna can pass through it. The railway land at the bottom of the embankment (adjacent to the application site but at a significantly lower level) is an extensive, unbroken and barren concrete hard standing area used to service the operational railway including open storage of heavy materials. It currently has negligible biodiversity in an environment that is otherwise concrete and brick and has only limited scrubby weeds growing out of concrete. The applicant advises that proposals to enhance this railway land would be resisted by Network Rail who would be averse to creating new habitats here as it would impinge upon access to the railway lines. This is considered a reasonable assessment.
- 21.5. The proposed development would have no impact on the SINC as this is 40m from the site. The existing site has no habitat or biodiversity benefit in its current condition. The proposed development would provide an enhancement to biodiversity on the site with 260sqm blue roof which could be combined with a green roof to support vegetation growth and associated insect and bird species.
- 21.6. A condition would be included requiring bat and bird boxes (condition 11).

## **22. Contaminated Land**

- 22.1. The Basement Impact Assessment (BIA) addresses geotechnical aspects of the proposed development (basement excavation) rather than geo-environmental. While the BIA has not referenced the Environment Agency guidance document CLR11 model procedures for the management of land contamination, the report includes a "Desk Study – (Historical Review) which found contamination was unlikely.
- 22.2. From 1871-73 until circa early 20th C the site was occupied by residential properties which were demolished as part of the widening of the railway cutting neighbouring the site to the south. During the 1950's the site was vacant. In the 1970s a builder's yard then a carwash occupied the site, with the latter remaining active until the present day. It is accepted that the historical review suggests it is unlikely that excavation works are likely to encounter significant contamination. On this basis no further assessment is required.

## **23. Existing electronic communications infrastructure**

- 23.1. An objection has been received from an agent acting for CTIL, Telefónica UK Ltd and Vodafone Ltd. These companies manage and operate a shared electronic communications radio base station on the rooftop of 379 Kentish Town Road, the adjoining building that lies immediately to the northwest of the application site. They object to the redevelopment proposal because it would have a detrimental impact on the satisfactory continued operation of their existing shared rooftop installation. They state it would completely block the transmission and reception of signals from the two antennas that are presently sited on the rooftop of 379 Kentish Town Road directly above the building's southeast elevation.

- 23.2. Paragraph 114b of the NPPF states Local Planning authorities should ensure that they have considered the possibility of the construction of new buildings or other structures interfering with broadcast and electronic communications services.
- 23.3. Officers have considered the impact on the proposed development on the existing radio base station. It is noted (see planning history) that the siting of six pole mounted antennas on the roof in 2016 was considered permitted development (by virtue of Part 16, Class A(b) of the General Permitted Development Order 2015) for a period of up to 18 months. Subsequently a retrospective application submitted to retain the equipment was refused (29 October 2018) and an enforcement notice served. This enforcement notice is currently the subject of an appeal. The six antennae on the rooftop of 379 Kentish Town Road are therefore not authorised. The development of the application site in accordance with the expectations of Neighbourhood Plan is given significant weight. It is considered to outweigh any harm to the operation of the unauthorised telecom antennae. Furthermore, should planning permission be granted, there would be an opportunity for the telecom equipment to be moved to a more suitable location or for other nearby telecom equipment to be upgraded as required.

## **24. Open Space**

- 24.1. Applicants will need to make a contribution to the provision of open space facilities in the borough when the development proposes 11 or more additional dwellings as in this case. The residential development will lead to an increase demand for and use of public open spaces. For residential development, the Council will seek 9sqm per occupier. Where it is not feasible to deliver the full amount of public open space required, the Council will accept a financial payment in lieu of provision.
- 24.2. The open space contribution is based on the payment in lieu calculation in CPG Open Space (March 2018).
- 24.3. The residential capital cost of the Open Space contribution is calculated as follows:  
 $9 \text{ sqm} \times 14 \text{ (number of additional dwellings)} \times 2.29 \text{ (average residential occupancy for the Kentish Town ward)} \times \text{£}200 \text{ (the total capital cost of providing public open space per sqm)} = \text{£}57,708$
- 24.4. The Council will seek a commuted sum towards ten years of maintenance. The residential maintenance cost of the Open Space contribution is calculated as follows:  
 $9 \text{ sqm} \times 2.29 \text{ (occupancy)} \times 14 \text{ (no. units)} \times \text{£}7 \text{ (maintenance cost per sqm)} \times 10 \text{ years (period of maintenance costs)} = \text{£}20,197.80$
- 24.5. On this basis set out above, the open space contribution would be £77,905.80 (capital cost £57,708 + maintenance cost £20,197.80). The open space contribution would be secured by legal agreement.

## **25. Employment and training opportunities**

- 25.1. The scheme proposes the replacement of existing car wash use with a new building to provide 14 residential and retail (Class A1) or restaurant (Class A3) use

at ground and basement levels. There are no plans to provide 'employment' (i.e. B1 / B2 / B8) floorspace as part of the proposed scheme. As such, the focus would shift to the potential to secure employment and training opportunities for Camden residents during the construction phase. The Council encourages the creation of apprenticeships and training placements in development after completion for major commercial developments which would result in a net increase of 1,000sq m (GIA) or more of employment space including office, hotel and leisure developments. Given this trigger, there is no policy requirement for post construction employment and training opportunities for this scheme.

25.2. If the application is approved, we would seek to secure the following in order to maximise the opportunities to local residents and businesses afforded by the development:

- The applicant should work to **CITB benchmarks for local employment** when recruiting for construction-related jobs as per section 68 of the Employment sites and business premises CPG;
- 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 work placement opportunities** of not less than 2 weeks each, to be undertaken over the course of the development, to be recruited through the Council's King's Cross Construction Skills Centre, as per section 70 of the Employment sites and business premises CPG;
- If the build costs of the scheme exceed £3 million the applicant must recruit **1 construction apprentice or end use apprentice** per £3million of build costs and pay the council a support fee of £1,700 per apprentice as per section 65 of the Employment sites and business premises CPG. The predicted build costs (£5,625,000) suggest this would be one apprentice. Recruitment of construction apprentices should be conducted through the Council's King's Cross Construction Skills Centre. Recruitment of non-construction apprentices should be conducted through the Council's Economic Development team;
- As the value of the scheme exceeds £1 million, the applicant must also sign up to the **Camden Local Procurement Code**, as per section 71 of the Employment sites and business premises CPG; and
- The applicant provide a **local employment, skills and local supply plan** setting out their plan for delivering the above requirements in advance of commencing on site, as per section 63 of the Employment sites and business premises CPG.

## 26. PLANNING OBLIGATIONS

- 26.1. The following contributions are required to mitigate the impact of the development upon the local area, including on local services.

<b>Contribution</b>	<b>Amount</b>
Affordable housing payment in lieu	£276,000.00
Deferred Housing Contribution Assessment	£802,974 (deferred)
Cycle parking contribution	£2,000.00
Highways contribution	£13,377.00
Approval in Principle assessment fee	£1,800.00
CMP implementation support contribution	£7,565.00
Open space contribution	£77,905.80
Carbon offset contribution	£37,437.00
Apprentice support fee	£1,700.00
<b>Total</b>	<b>£1,220,758.80</b>

## **27. Mayor of London's Crossrail CIL and Camden's CIL**

- 27.1. 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 £80 per sqm and Camden's CIL is £500 per sqm for residential (Zone C) and £25 per sqm for retail (Zone C). The CIL would be calculated on the uplift in floorspace (1441sqm). 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 £115,280 (1441sqm x £80) for Mayoral CIL and £738,130 (1197.81sqm x £500 + 243.19 x £25 + indexing) for Camden's CIL. The CIL will be collected by Camden and an informative will be attached advising the applicant of the CIL requirement.

## **28. CONCLUSION**

- 28.1. The Neighbourhood Plan requires that the site is developed for residential and retail purposes and the proposed development would accord this. The proposal would provide 14 self-contained flats and such provision would accord with Policy H1 of the Local Plan. A commercial unit with either A1 or A3 at ground floor level is considered appropriate within this secondary frontage of the Town Centre and would accord with policy TC1, TC2 and TC3 of the Local Plan and with policy SSP1 of the Kentish Town Neighbourhood Plan.
- 28.2. The proposals display a considered and creative design response to this site. The 1st to 4th floor set backs along Kentish Town Road would reduce the bulk and mass of the building. The fifth floor would be angled and stepped back to line with the neighbouring building. This set back would distinguish the upper floors from the primary five storey body of the building and would be slightly obscured at street level, reading as a separate roof form. The tallest element is at the apex of the site. This relates to and references the celebrated corners of other corner buildings such as the Assembly House. Locating the tallest element at the narrowest part of the

site serves to minimise a sense of overbearing bulk at higher levels, whilst recognising its prominence.

- 28.3. The Design Review Panel have reviewed the scheme and consider that the developing designs are of a very high quality and, with minor adjustments, would result in an exceptional building suited to its prominent location. In response to DRP's comments, the scheme has been revised.
- 28.4. Overall, it is considered that the proposed development is of high architectural quality, which would provide a significant improvement to the townscape over the existing car wash. The development shows generosity to the public realm (including wider pavements and relocated bus shelter), and would help to activate and enhance this part of the town centre.
- 28.5. The Council's Affordable Housing Development Co-ordinator has reviewed the scheme. The size of the scheme (1256sqm GIA) according to the current design would make on-site provision highly unlikely to be viable. The possibility of alternative sites has been investigated, however, the applicant and site owner holds no other land interests locally and therefore there is no prospect of this option being brought forward. Therefore, the Council's Affordable Housing Development Co-ordinator has agreed a Payment in Lieu would be the best option in this instance. The policy target for 1566sqm GEA is £1,081,730.
- 28.6. BPS calculate that a surplus of £276,000 is produced on a 100% private iteration of the scheme. This would be provided as a payment in lieu secured by legal agreement. A deferred affordable housing contribution would also be secured by legal agreement. The deferred contribution is capped at the shortfall between the amount of additional housing proposed and the Council's policy targets.

## **29. RECOMMENDATION**

- 29.1. Grant conditional Planning Permission subject to a S106 Legal Agreement with the following heads of terms.
- Affordable housing payment in lieu £276,000
  - Deferred Housing Contribution Assessment (maximum payment in lieu of £802,974)
  - Bus shelter contribution (to be confirmed by TfL)
  - Cycle parking contribution of £2,000
  - Highways contribution £13,377
  - Level plans
  - Approval in Principle (AIP) report and assessment fees of £1,800
  - Construction management plan (CMP) and CMP implementation support contribution of £7,565
  - Formation of a CMP construction working group consisting of representatives from the local community
  - Car-free development
  - Servicing management plan
  - Open space contribution £77,905.80
  - Sustainability Plan

- Energy efficiency plan
- Carbon offset contribution £37,437 (a condition is recommended to require an improved CO2 and renewables strategy. Should further improvements in CO2 emissions be identified via additional on-site measures the carbon offsetting contribution would be accordingly reduced)
- Employment and Training
- Local procurement

### 30. LEGAL COMMENTS

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

#### Conditions:

- 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 Approved drawings

The development hereby permitted shall be carried out in accordance with the following approved plans:

Existing drawings: A05; A20; A10

Proposed drawings: A90 A; A100 C; A101 B; A105 B; A106 A; A107 A; A150 A; A151 A; A200 A; A201 A; A202 A; A203 A;

Supporting documents: Affordable Housing Policy Statement prepared by AHS dated February 2019; Basement Impact Assessment Rev 1 prepared by CGL dated June 2019; Design and Access Statement, prepared by dMFK Architects dated February 2019; Planning Statement, prepared by Savills dated February 2019; Daylight & Sunlight Assessment, prepared by EB7 Environmental dated 7th February 2019; Noise Survey and Acoustic Design Statement, prepared by Hann Tucker dated 4 February 2019; Train Induced Noise and Vibration Assessment, prepared by Hann Tucker dated 8 February 2019; Energy and Sustainability Statement, prepared by Peter Deer and Associates dated February 2019; Transport Statement, prepared by Caneparo Associates dated February 2019; Delivery and Servicing Management Plan, prepared by Caneparo Associates dated February 2019; Health Impact Assessment, prepared by Savills dated February 2019; Statement of Community Involvement, prepared by Four Communications dated February 2019; Surface Water Drainage Pro-forma; Secure by Design Statement; Flood Risk Assessment and Surface Water Drainage Strategy Report prepared by Price & Myers dated February 2019; Financial Viability Report prepared by AHS dated February 2019; Air Quality Assessment dated April 2019; Interim Stage 2 Cost Plan No 2 prepared by Bristow April 2019; Draft Response to BPS report of 3rd April 2019 prepared by AHS; Area

Schedule prepared by dMFK; Mid application updates prepared by dMFK dated April 2019; Supplementary Energy Statement prepared by Peter Deer and Associates dated April 2019; Mid Application Accessibility Design Response prepared by dMFK dated April 2019; Archaeological Desk-based Assessment prepared by Savills dated May 2019; LLFA response prepared by Price & Myers dated April 2019; Appraisal Summary prepared by AHS dated 09/05/2019; Draft Response to BPS report of 3rd April 2019 prepared by AHS; Interim Stage 2 Cost Plan No 2 prepared by Bristow Johnson dated 12 Apr 2019; Technical Note on Basement Impact Assessment prepared by CGL dated 3 June 2019

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

### 3 Detailed drawings / samples

Before the relevant part of the work is begun, detailed drawings, or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the local planning authority:

- a) Details including sections at 1:10 of all windows (including jambs, head and cill), ventilation grills, external doors and gates;
- b) Plan, elevation and section drawings, including fascia and glazing panels of the new shopfronts at a scale of 1:10;
- c) Manufacturer's specification details of all facing materials (to be submitted to the Local Planning Authority) and samples of those materials (to be provided on site).

The relevant part of the works shall be carried out in accordance with the details thus approved and all approved samples shall be retained on site during the course of the works.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy D1 of the London Borough of Camden Local Plan 2017.

### 4 Sample panel of brickwork

Before the brickwork is commenced, a sample panel (1m x 1m) of the facing brickwork demonstrating the proposed colour, texture, face-bond and pointing shall be provided on site and approved in writing by the local planning authority. The development shall be carried out in accordance with the approval given. The approved panel shall be retained on site until the brickwork has been completed.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy D1 of the London Borough of Camden Local Plan 2017.

5 No external services / equipment

Unless shown on approved drawings, no lights, meter boxes, flues, vents or pipes, and no telecommunications equipment, alarm boxes, television aerials, satellite dishes or rooftop 'mansafe' rails shall be fixed or installed on the external face of the buildings.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy D1 of the London Borough of Camden Local Plan 2017.

6 Noise levels in dwellings

The noise level in rooms at the development hereby approved shall meet the noise standard specified in BS8233:2014 for internal rooms and external amenity areas.

Reason: To ensure that the amenity of occupiers of the development are not adversely affected by noise and vibration in accordance with the requirements of policies G1, CC1, D1, A1, and A4 of the London Borough of Camden Local Plan 2017.

7 Sound insulation between dwellings

Prior to commencement of above ground works, details shall be submitted to and approved in writing by the Council, of an enhanced sound insulation value  $D_{nT,w}$  and  $L'_{nT,w}$  of at least 5dB above the Building Regulations value, for the floor/ceiling/wall structures separating different types of rooms/ uses in adjoining dwellings, namely [eg. living room and kitchen above bedroom of separate dwelling]. Approved details shall be implemented prior to residential occupation of the development and thereafter be permanently retained.

Reason: To ensure that the amenity of occupiers of the development are not adversely affected by noise and vibration in accordance with the requirements of policies G1, CC1, D1, A1, and A4 of the London Borough of Camden Local Plan 2017.

8 Sound insulation between dwellings and commercial

Prior to commencement of above ground works, details shall be submitted to and approved in writing by the Council, of the sound insulation of the floor/ ceiling/ walls separating the commercial part(s) of the premises from noise sensitive premises. Details shall demonstrate that the sound insulation value  $D_{nT,w}$  is enhanced by at least 10dB above the Building Regulations value and, where necessary, additional mitigation measures are implemented to contain commercial noise within the commercial premises and to achieve the 'Good' criteria of BS8233:2014 within the dwellings/ noise sensitive premises. Approved details shall be implemented prior to commercial occupation of the development and thereafter be permanently retained.

Reason: To ensure that the amenity of occupiers of the development are not



adversely affected by noise and vibration in accordance with the requirements of policies G1, CC1, D1, A1, and A4 of the London Borough of Camden Local Plan 2017.

9 Cycle store

The secure and covered cycle storage areas for 34 cycles (32 for residents and 2 for staff) shall be provided in its entirety prior to the first occupation of any of the new units, and permanently retained thereafter.

Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of policy T1 of the London Borough of Camden Local Plan 2017.

10 Piling method statement

Prior to commencement of any impact piling, a piling method statement shall be submitted to and approved in writing by the local planning authority. The Method Statement shall be prepared in consultation with Thames Water or the relevant statutory undertaker, and shall detail the depth and type of piling to be undertaken and the methodology by which such piling will be carried out including measures to prevent and minimise the potential for damage to subsurface water infrastructure, and the programme for the works. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: To safeguard existing below ground public utility infrastructure and controlled waters in accordance with the requirements of Policy CC3 of the London Borough of Camden Local Plan 2017.

11 Bird and bat boxes

Prior to first occupation of the development a plan showing details of bird and bat box locations and types and indication of species to be accommodated shall be submitted to and approved in writing by the local planning authority. The boxes shall be installed in accordance with the approved plans prior to the occupation of the development and thereafter retained.

Reason: In order to secure appropriate features to conserve and enhance wildlife habitats and biodiversity measures within the development, in accordance with the requirements of the London Plan (2016) and Policies A3 and CC2 of the London Borough of Camden Local Plan 2017.

12 Air quality monitors

No development shall take place until full details of the air quality monitors have been submitted to and approved by the local planning authority in writing. Such details shall include the location, number and specification of the monitors, including evidence of the fact that they have been installed in line with guidance outlined in the GLA's

Control of Dust and Emissions during Construction and Demolition Supplementary Planning Guidance and have been in place for 3 months prior to the proposed implementation date. The monitors shall be retained and maintained on site for the duration of the development in accordance with the details thus approved.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies G1, A1, D1 and CC4 of the London Borough of Camden Local Plan 2017.

13 Non-road mobile machinery

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 demolition and construction phases of the development hereby approved shall be required to meet Stage IIIA 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.

14 Part M4(2) compliance

Unit type 1, 2, 4 and 5 (ten units in total), as indicated on plan number/s hereby approved shall be 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 H6 of the London Borough of Camden Local Plan 2017.

15 Part M4(3) compliance

Unit type 3 (four units in total), as indicated on the plan number/s hereby approved shall be designed and constructed in accordance with Building Regulations Part M4(3)(2)(a). Evidence demonstrating compliance should be submitted to and approved by the Local Planning Authority prior to occupation.

Reason: To ensure that the wheelchair units would be capable of providing adequate amenity in accordance with policy H6 of London Borough of Camden Local Plan 2017.

## 16 Sustainable urban drainage

A) Prior to commencement of development, full details of the sustainable drainage system including blue roof providing 20m<sup>3</sup> attenuation, shall be submitted to and approved in writing by the local planning authority. This shall include the following:

- i) an updated FRA and SuDS proforma to reflect latest drainage design proposals, as per sketch 26778/SK600;
- ii) volumes of proposed attenuation on the drainage sketch and advice from a blue roof specialist that the site can be drained effectively as proposed;
- iii) evidence to demonstrate that the drainage system would operate effectively and that a hydrobrake can be properly incorporated to discharge the site runoff and still provide positive drainage to the public sewer network via the existing sewer network; this should provide realistic design cover and invert levels that, at least, reflect the existing site and drainage levels.

Such a system should be designed to accommodate all storms up to and including a 1:100 year storm with a 40% provision for climate change, such that flooding does not occur in any part of a building or in any utility plant susceptible to water, and shall demonstrate a runoff as close to greenfield as feasible with a minimum 50% reduction in run off rate. Details shall include a lifetime maintenance plan, and shall thereafter be retained and maintained in accordance with the approved details.

B) Prior to occupation of the development, evidence that the sustainable drainage system has been implemented in accordance with the approved details as part of the development shall be submitted to the Local Authority and approved in writing. The systems shall thereafter be retained and maintained in accordance with the approved maintenance plan.

Reason: To reduce the rate of surface water run-off from the buildings and limit the impact on the storm-water drainage system in accordance with Policies CC1, CC2, CC3 of the London Borough of Camden Local Plan 2017.

## 17 Waste store

The waste stores hereby approved shall be provided prior to the first occupation of the development and permanently retained thereafter.

Reason: To ensure that sufficient provision for the storage and collection of waste has been made in accordance with the requirements of policy CC5, A1, A4 and TC4 of the London Borough of Camden Local Plan 2017.

## 18 Chartered engineer

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.

#### 19 Development in accordance with BIA

The development shall be carried out in strict accordance with the conclusions, methodologies and recommendations of the Basement Impact Assessment Rev 1 prepared by CGL dated June 2019 hereby approved and the recommendations of the BIA Audit prepared by Campbell Reith dated June 2019.

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 A5, D1 and CC3 of the London Borough of Camden Local Plan 2017.

#### 20 Noise

Noise levels at a point 1 metre external to sensitive facades shall be at least 10dB(A) less than the existing background measurement (LA90), expressed in dB(A) when all plant/equipment (or any part of it) is in operation unless the plant/equipment hereby permitted will have a noise that has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or if there are distinct impulses (bangs, clicks, clatters, thumps), then the noise levels from that piece of plant/equipment at any sensitive façade shall be at least 15dB(A) below the LA90, expressed in dB(A).

Reason: To safeguard the amenities of the [adjoining] premises [and the area generally] in accordance with the requirements of policies G1, CC1, D1, and A1 of the London Borough of Camden Local Plan 2017.

#### 21 Plant

Prior to the first occupation of the development, full details of a scheme for extraction, ventilation and cooling including manufacturers specifications, noise levels and attenuation, shall be submitted to and approved by the Local Planning Authority in writing. The development shall not proceed other than in complete accordance with such scheme as has been approved. All such measures shall be retained and maintained in accordance with the manufacturers' recommendations.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.

## 22 Vibration

Vibration within residential premises shall meet a level that has low probability of adverse comment.

Reason: To ensure that the amenity of occupiers of the development are not adversely affected by vibration in accordance with the requirements of policies G1, CC1, D1, A1, and A4 of the London Borough of Camden Local Plan 2017.

## 23 Mechanical Ventilation

Prior to commencement of above ground works (excluding demolition and site preparation works), 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 the boiler stack 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 safeguard the amenities of future occupiers in accordance with the requirements of policies G1, A1 and A4 of the London Borough of Camden Local Plan 2017.

## 24 Hours of use

The Class A1 or A3 use hereby permitted shall not be carried out outside the following times 06:00 hours and 24:00 hours Mondays to Saturdays; and 07:30 hours and 23:00 hours on Sundays and Bank Holidays.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies A1, A4, TC1, TC2, and TC4 of the London Borough of Camden Local Plan 2017.

## 25 Thames Water

Prior to occupation, in consultation with Thames Water, confirmation shall be submitted to and approved in writing by the local planning authority that either: all combined water network upgrades required to accommodate the additional flows from the development have been completed; or a housing and infrastructure phasing plan has been agreed with Thames Water to allow additional properties to be occupied. Where a housing and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan.

Reason: To avoid sewer flooding and/or potential pollution incidents in accordance with the requirements of Policy CC3 of the London Borough of Camden Local Plan 2017.

## 26 London Underground

The development hereby permitted shall not be commenced until detailed design and method statements (prepared in consultation with London Underground) for basement construction only have been submitted to and approved in writing by the local planning authority which:

- provide details of basement construction
- accommodate the location of the existing London Underground structures and tunnels
- accommodate ground movement arising from the construction thereof

Reason: In order to protect London Underground Infrastructure in accordance with Policy T3 of the London Borough of Camden Local Plan 2017.

## 27 Revised energy statement

Prior to discharge of the s106 Energy Efficiency & Renewable Energy Plan, a revised energy statement shall be submitted to and approved in writing by the local planning authority. The revised energy statement shall include the following:

- i. Confirmation of the proposed heating strategy;
- ii. Improved CO<sub>2</sub> reduction (CO<sub>2</sub> reduction as close to 35% reduction as feasible); and
- iii. Demonstrate feasibility of increased renewable energy capacity.

Reason: For the avoidance of doubt and to secure the appropriate energy and resource efficiency measures and on-site renewable energy generation in accordance with policies C1, CC1, CC2 and CC4 of the London Borough of Camden Local Plan 2017.

## 28 Revised Sustainability Strategy

Prior to discharge of the s106 Sustainability Plan, a revised sustainability strategy shall be submitted to and approved in writing by the local planning authority. The revised sustainability strategy shall include the following:

- i. Confirmation of sustainable construction and design principles from Policy CC2 and CPG 'Energy Efficiency and Adaptation';
- ii. Demonstrate feasibility of green roof compatible with solar PV; and
- iii. Confirmation that the active cooling functions of the MVHR and ASHP systems are permanently and irreversibly removed or disabled.

Reason: To ensure the development contributes to minimising the effects of, and can adapt to a changing climate in accordance with policy CC2 and CC3 of the London Borough of Camden Local Plan 2017.

## 29 Solar PVs

Prior to discharge of the s106 Energy Efficiency and Renewable Energy Plan, drawings and data sheets showing the location, extent and predicted energy generation of photovoltaic cells, heat pumps and associated equipment to be installed on the building shall have been submitted to and approved by the Local Planning Authority in writing. The measures shall include the installation of meters to monitor the energy output from the approved renewable energy systems. A site-specific lifetime maintenance schedule for each system (including safe roof access arrangements) shall be provided. The equipment shall be installed in full accordance with the details thus approved and permanently retained and maintained thereafter.

Reason: To ensure the development provides adequate on-site renewable energy facilities in accordance with the requirements of policy CC1 of the London Borough of Camden Local Plan 2017.

## 30 Rainwater harvesting or greywater recycling

Prior to discharge of the s106 Sustainability Plan, a feasibility assessment for rainwater harvesting or greywater recycling shall be submitted to the local planning authority and approved in writing.

If considered feasible, details of the rainwater harvesting or greywater recycling shall be submitted to the local planning authority and approved in writing, prior to discharge of the s106 Sustainability Plan.

The development shall thereafter be constructed in accordance with the approved details.

Reason: To ensure the development contributes to minimising the need for further water infrastructure in an area of water stress in accordance with policies CC2 and CC3 of the London Borough of Camden Local plan Policies.

## 31 Water use

The development hereby approved shall achieve a maximum internal water use of 110litres/person/day. The dwelling/s shall not be occupied until the Building Regulation optional requirement has been complied with.

Reason: To ensure the development contributes to minimising the need for further water infrastructure in an area of water stress in accordance with Policies CC1, CC2, CC3 of the London Borough of Camden Local Plan 2017.

## Informatives

- 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](http://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 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.
- 5 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.
- 6 Your proposals may be subject to control under the Party Wall etc Act 1996 which covers party wall matters, boundary walls and excavations near neighbouring buildings. You are advised to consult a suitably qualified and experienced Building Engineer.



- 7 You are advised that condition ... means that no customers shall be on the premises and no noise generating activities associated with the use, including preparation and clearing up, shall be carried out otherwise than within the permitted time.
- 8 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website at <https://beta.camden.gov.uk/documents/20142/1269042/Camden+Minimum+Requirements+%281%29.pdf/bb2cd0a2-88b1-aa6d-61f9-525ca0f71319> or contact the Council's Noise and Licensing Enforcement Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444)

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 must secure the approval of the Council's Noise and Licensing Enforcement Team prior to undertaking such activities outside these hours.

- 9 If a revision to the postal address becomes necessary as a result of this development, application under Part 2 of the London Building Acts (Amendment) Act 1939 should be made to the Camden Contact Centre on Tel: 020 7974 4444 or Environment Department (Street Naming & Numbering) Camden Town Hall, Argyle Street, WC1H 8EQ.
- 10 You are advised that Section 44 of the Deregulation Act 2015 [which amended the Greater London Council (General Powers) Act 1973] only permits short term letting of residential premises in London for up to 90 days per calendar year. The person who provides the accommodation must be liable for council tax in respect of the premises, ensuring that the relaxation applies to residential, and not commercial, premises.
- 11 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.
- 12 The correct street number or number and name must be displayed permanently on the premises in accordance with regulations made under Section 12 of the London Building (Amendments) Act 1939.
- 13 You are advised that 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.