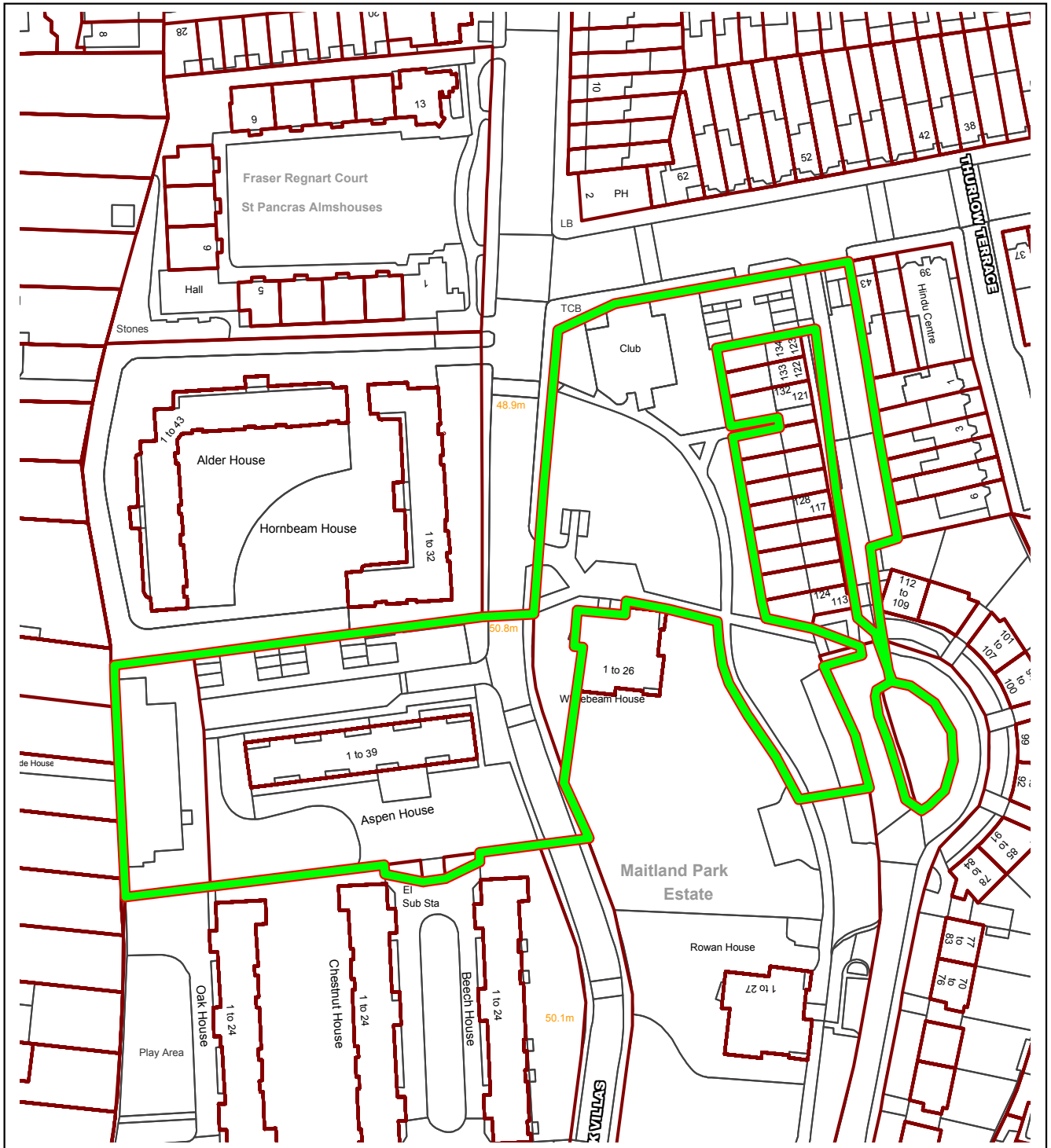


Land bounded by Grafton Terrace, Maitland Park Villas and
Maitland Park; and land adjacent to Maitland Park Villas Ref.
2019/4998/P



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Aspen House and gymnasium

Existing TRA Hall Grafton Terrace

Image 1 (above): Aerial view of the site prior to demolition. The TRA hall has now been demolished and the CMP for the demolition of Aspen House and Maitland Park gymnasium and garages was approved 05/06/2020.



Image 2 (above): Grafton Terrace elevation - as approved

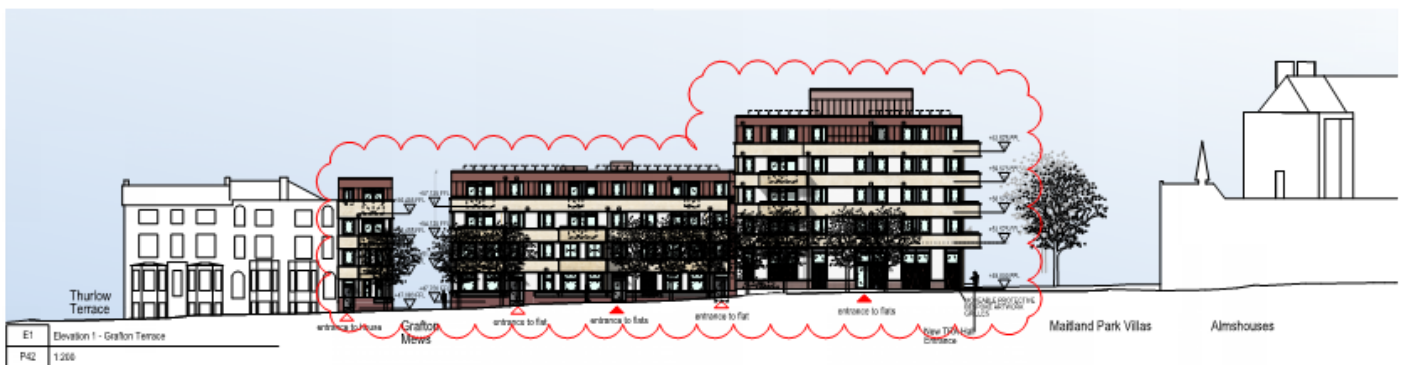


Image 3 (above): Grafton Terrace elevation – proposed



Image 4 (above): Maitland Park Villas elevation – as approved



Image 5 (above): Maitland Park Villas elevation – proposed



Image 6 (above): Elevation 3 looking east from rear of properties on Parkhill Road - as approved



Image 7 (above): Elevation 3 looking east from rear of properties on Parkhill Road - proposed

| | | | | |
|--|----------------------------|--|--------------------------------------|-------------|
| Delegated Report (Members Briefing) | | Analysis sheet | Expiry Date: | 2019/4998/P |
| | | N/A | Consultation Expiry Date: | 15/03/2020 |
| Officer | | | Application Number(s) | |
| David Peres Da Costa | | | 2019/4998/P | |
| Application Address | | | Drawing Numbers | |
| Land bounded by Grafton Terrace, Maitland Park Villas and Maitland Park, containing Existing TRA Hall and Garages; and Land adjacent to Maitland Park Villas containing existing Aspen House, gymnasium and garages. | | | Refer to Draft Decision Notice | |
| PO 3/4 | Area Team Signature | C&UD | Authorised Officer Signature | |
| | | | | |
| Proposal(s) | | | | |
| Variation of condition 2 (approved drawings), 6 (noise report compliance), 11 (no audible music), 17 (detailed drawings and samples), 21 (Sustainability Assessment), 22 (CMP), 31 (Efficiency and Renewable Energy Plan) and 33 (Number of residential units) of planning permission 2014/5840/P dated 31/03/2015 (as amended by 2015/6696/P dated 14/04/2016 and 2020/0549/P dated 17/02/2020) (for Provision of residential units and replacement Tenants and Residents Association hall across two sites with associated multi-use games area, landscape and associated works, following demolition of Aspen House, gymnasium and garages at Maitland Park Villas and TRA Hall and garages on Grafton Terrace) NAMELY to increase the number of units (from 112 to 119 units); changes to elevations, materials and design; changes to the mix, size and layout of units, modifications to the energy strategy, waste strategy, cycle parking, landscaping and access. | | | | |
| Recommendation(s): | | Grant conditional planning permission subject to 'shadow' s106 legal agreement | | |
| Application Type: | | Variation or Removal of condition (S73 – Minor Material Amendment) | | |

| | | | | | | |
|---|---|-----------|------------------|-----------|-------------------|-----------|
| Conditions or Reasons for Refusal: | Refer to Draft Decision Notice | | | | | |
| Informatives: | | | | | | |
| Consultations | | | | | | |
| Adjoining Occupiers: | No. notified | 00 | No. of responses | 00 | No. of objections | 00 |
| Summary of consultation responses: | <p>Five site notices were displayed from 09/10/19 to 02/11/19. Owing to an administrative error the application was not advertised in the local paper as expected on 10th October 2019.</p> <p>No comments were received.</p> <p>Following a revision to the description of development, the application was re-consulted on. Five site notices were displayed from 19/02/20 to 14/03/20 and the application was advertised in the local paper on 20/02/20 (expiring 15/03/20).</p> <p>No comments were received.</p> | | | | | |
| CAAC/Local groups comments: | <p>Parkhill Conservation Area Advisory Committee (PCAAC) – Object</p> <p>Highlight where the seven new residential units are located, highlight changes to elevations, materials and design and highlight all changes to development along boundary with Parkhill Road properties.</p> <p>Officer's comment: <i>Officer's wrote to the PCAAC 31/03/20 to provide further information and asking whether PCAAC wished to sustain or withdraw their objection. The chair of the CAAC responded to advise "I have no further comments on the above application, as it has already been approved". A follow up email explaining that the application had not been approved received no response.</i></p> | | | | | |

Site Description

This application comprises two development sites, referred to throughout this report as the 'Grafton Terrace' development and the 'Aspen Court' development, both of which form part of Camden's Community Investment Programme (CIP). Planning permission was granted in 2015 for the redevelopment of the site and this permission has been implemented in as far as demolition of the Tenants and Residents Association (TRA) hall and erection of the substation.

The Grafton Terrace site is opposite the Lord Southampton pub on Grafton Terrace and is bounded to the west by Maitland Park Villas and to the south by Maitland Park open space. The site prior to implementation of 2014/5840/P housed the existing single storey TRA hall and a refuse/recycling area along with some lock up garages. The TRA hall has been demolished as part of the redevelopment approved under 2014/5840/P.

The Aspen House site comprises the existing 1960's Aspen House residential block, accessed off Maitland Park Villas and which contains 42 units of accommodation (39 social rented units and 3 now-vacant private leaseholder units), along with a public gymnasium to the rear. The site is bounded to the north by Hornbeam House and Alder House whilst Beech House, Chestnut House and Oak House form the southern boundary. Whitebeam House is located to the east of the site.

Neither of the sites are located in a conservation area nor are they located adjacent to any listed buildings, however the western boundary of the Aspen House site is bounded by the Parkhill Conservation Area.

Relevant History

2014/5840/P: Provision of 112 residential units and replacement Tenants and Residents Association hall across two sites with associated multi-use games area, landscape and associated works, following demolition of Aspen House, gymnasium and garages at Maitland Park Villas and TRA Hall and garages on Grafton Terrace. Granted subject to a shadow S106 Legal Agreement 31/03/2015

2015/6696/P: Variation of conditions 7 (Sustainable Urban Drainage), 8 (Ground investigation details), 10 (details of hard and soft landscaping), 13 (Details of tree protection measures), 21 (code for sustainable homes), 22 (Construction Management Plan), 23 (Open space contribution), 24 (Education contribution), 25 (Environmental and public realm contribution), 26 (Level Plans), 27 (CO2 offset contribution), 28 (Local employment), 29 (Local procurement), 31 (Energy efficiency and renewables) and 32 (highways works) of planning permission 2014/5840/P dated 31/03/2015 (for provision of 112 residential units and replacement Tenants and Residents Association hall across two sites with associated multi-use games area, following demolition of Aspen House, gymnasium and garages at Maitland Park Villas and TRA Hall and garages on Grafton Terrace] for a change of wording to allow for sooner completion of Multi-Use Games Area (MUGA) and for pre-commencement details to be submitted, in some instances, after site clearance and preparation, relocation of services, utilities and public infrastructure and demolition). Granted Subject to a shadow Section 106 Legal Agreement 14/04/2016

2016/7090/P: Request for Environmental Impact Assessment (EIA) screening opinion for works comprising a minor material amendment to planning permission 2014/5840/P dated 31/03/2015 (for provision of 112 residential units and replacement Tenants and Residents Association hall across two sites with associated multi-use games area, landscape and associated works, following demolition of Aspen House, gymnasium and garages at Maitland Park Villas and TRA Hall and garages on Grafton Terrace), namely to allow an additional 3 residential units, a revised unit mix (1 x 5-bed, 1 x 4-bed, 24 x 3-bed, 52 x 2-bed and 37 x 1-bed), alteration to the elevations, balcony and garden layouts, the inclusion of MVHR and PV systems and amendments to the MUGA. EIA Not Required 12/01/2017

2020/0549/P: Non-material amendment to planning permission 2014/5840/P dated 31/03/2015 (as amended by 2015/6696/P dated 14/04/2016) for 'Provision of 112 residential units and replacement Tenants and Residents Association hall across two sites with associated multi-use games area, landscape and associated works, following demolition of Aspen House, gymnasium and garages at Maitland Park Villas and TRA Hall and garages on Grafton Terrace' approved; namely: to alter the description to omit the number of units and to insert a planning condition to secure 112 residential units. Granted 16/02/2020

Relevant policies

NPPF 2019

The London Plan March 2016, consolidated with alterations since 2011

The New London Plan - Intend to Publish Version 2019

Camden Local Plan 2017

G1 – Delivery and location of growth

H1 – Maximising housing supply;

H4 – Maximising the supply of affordable housing

H6 – Housing choice and mix

H7 – Large and small homes

C1 – Health and wellbeing

C5 – Safety and security

C6 – Access for all

E1 – Economic development

E2 – Employment premises and sites

A1 – Managing the impact of development

A2 – Open space

A3 – Biodiversity

A4 – Noise and vibration

D1 – Design

D2 – Heritage

CC1 – Climate change mitigation

CC2 – Adapting to climate change

CC3 – Water and flooding

CC4 – Air quality

CC5 – Waste

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

Camden Planning Guidance

CPG Housing (March 2018)

CPG Amenity (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)

Assessment

1. Proposal

- 1.1. The application seeks to make amendments to the plans approved under planning permission 2014/5840/P dated 31/03/2015 (as amended by 2015/6696/P dated 14/04/2016 and 2020/0549/P dated 16/02/2020) to make changes to elevations, materials and design and to make modifications to the energy strategy, waste strategy, cycle parking and landscaping and access. The application seeks approval for 7 additional Class C3 residential units as well as changes to the unit type and mix. The amended scheme would deliver six units of market housing and one additional social rent dwelling.
- 1.2. To facilitate these changes the application also seeks to amend conditions 2 (approved drawings), 6 (noise mitigation compliance), 11 (audible music), 17 (detailed drawings), 21 (Code for Sustainable Homes), 22 (CMP), 31 (Energy Efficiency and renewables plan) and 33 (Number of residential units) of the original permission (ref: 2014/5840/P). The changes include the following:

General

- Building height: all storeys from first floor up reduced by 75mm across the scheme: Aspen Court: 300mm lower; Aspen Villas: 375mm lower; Grafton Terrace: 225mm lower (terrace and house), 300mm lower (end block).
- Materials: Amend fully glazed balconies facing Aspen Court to metal panels and railings
- Green roofs omitted
- Caretakers facility incorporated in Aspen Villa with direct access from street
- Cross Laminated Timber (CLT) structure now replaced by concrete frame.

1.3. Aspen Court (AC)

- Plant room relocation: LV switch room and water tank room moved from ground floor west wing to be consolidated in central plant room to ground floor of Aspen Villas.
- Tenure: Currently Aspen Court is all social rented dwellings except for one core which is private tenure (8no flats). The social tenure dwellings currently in Grafton Terrace would be relocated to here.
- All Wheelchair accessible units (6no) would be located on ground floor and layouts updated.

1.4. Aspen Villas (AV)

- Roof Top Plant Room: Main plant room relocated from 5th floor to ground floor of Aspen Villas, incorporating LV switch room and water tank from both AC & AV
- Roof plant enclosure – ASHP's require full access to fresh air and an acoustic screen to attenuate noise output - elevations updated to suit.
- Additional Private units: replace plant room on 5th floor with two additional 1bed 2 person units.
- Balconies above front entrance reduced/pulled back by 230mm (east west) and 783mm north and south.

1.5. Grafton Terrace (GT)

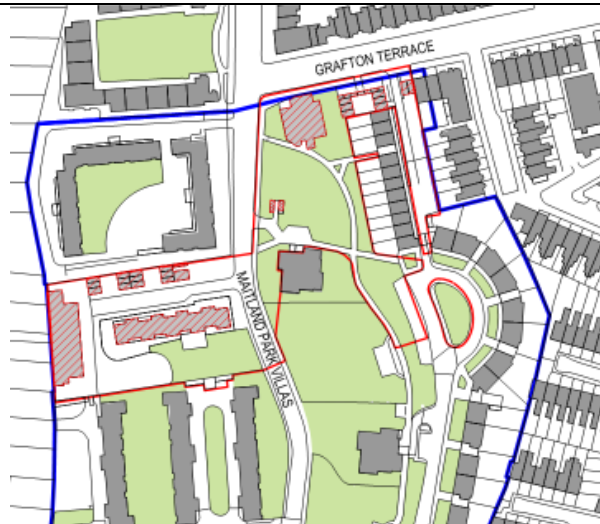
- Unit mix: social rent maisonettes replaced with single flats per floor. Flats to east side of Tenants and Residents Association (TRA) Hall block would now have east facing balconies.
- Flat Layouts: Top floor of Grafton Terrace expanded south, (to block over TRA hall) and east towards mews
- Roof top plant: condenser units added to roof to service TRA Hall –within an acoustic enclosure.
- Plant Room and Roof top plant: Additional plant room for ASHPs at ground floor. All roof top plant consolidated and set back on main roof to west end of terrace, housing AHU, condensers and ASHPs within an acoustic enclosure.
- Tenure: Currently GT is social rented dwellings to the Terrace and stand-alone house with private tenure above the TRA Hall. Proposal is to relocate social tenure dwellings into AC and private to here.
- Unit Mix: Proposal to add a 1bed 2 person unit to 5th floor where plant room was located and convert 2 x 1B2Ps and 1 x 2B4P to 2 x 3B5Ps.
- Rearrangement of the balconies to the southern elevation to Grafton Terrace – omitting two corner balconies and replacing with a single, centralised balcony over three floors.

1.6. TRA Hall

- The footprint of the block would be increased marginally south into the park by 700mm. Landscape and path layout has amended to suit

Revision

- 1.7. A non-material amendment application (ref: 2020/0549/P) was approved 16/02/2020 (see planning history below). This altered the description of the development of the original application (2014/5840/P) to omit the number of units from the description. The non-material amendment application granted secured the number of units via a new condition to the original permission (condition 33). Following this decision, the description of development for the current application (2019/4998/P) was updated to take account of the revised description of the parent application (2014/5840/P) and to make reference to the need to vary condition 33 so as to change the number of units. Following this revision to the description of development for the current application, this application was the subject of additional publicity.
- 1.8. Revised drawings were submitted 3rd March 2020 to take account of a number of further amendments.
- 1.9. Background
- 1.10. Planning permission (2014/5840/P) was granted 31/03/2015 for the redevelopment of part of the Maitland Park estate involving two sites within the estate (Grafton Terrace and Aspen House). The site adjacent to Grafton Terrace included the demolition of the TRA Hall and the bin store/lock up garages adjacent and the erection of a 4 storey block with set-back 5th floor roof level which included a replacement TRA Hall along with two x 3 storey buildings with set-back 4th floor roof levels. The Aspen House site included the demolition of Aspen House block along with the 2 storey gymnasium to the rear. In place of these buildings a new 5 storey courtyard development, called Aspen Court, was approved along with a 6 storey block, Aspen Villas, which would face Maitland Park Villas. The existing site plan is shown below (this shows the site prior to the approved demolition):



1.11. The approved site plan is shown below:



2. Shadow Section 106 Agreement

2.1. Given that the original planning application was a Council-owned development with the Council as the applicant, the decision was subject to a 'Shadow Section 106 Agreement'. As a matter of law the Council cannot enter into a Section 106 Agreement with itself. Nevertheless, it is imperative that this application is dealt with in a way that is consistent with the way the Council would deal with non-Council applications. In addition, if the Council sells the site to a private developer they would need to enter into a s106 with obligations which mirrored those in a shadow section 106 agreement. Therefore, the Heads of Term were embodied in a "Shadow Section 106 Agreement".

3. Assessment

The principal considerations material to the determination of this application are only those relevant to the proposed amendments which are considered in the following sections of this report:

| | |
|----|---------------------------|
| 4 | Land use |
| 5 | Affordable Housing |
| 6 | Housing Mix |
| 7 | Housing Quality |
| 8 | Access |
| 9 | Design and Appearance |
| 10 | Amenity Impact |
| 11 | Energy and Sustainability |
| 12 | Transport |
| 13 | Waste |
| 14 | Landscaping |
| 15 | Deed of Variation |

4. Land use

- 4.1. The regeneration forms part of Camden's 'Community Investment Programme' (CIP). The proposed amendment to the original scheme (ref: 2014/5840/P) would result in 7 additional residential units. The original permission secured 112 residential units. This proposed development would result in the overall scheme providing 119 dwellings. The Council regards self-contained housing as the priority land-use of the Local Plan. The increase in the number of residential units at the site is welcomed, aligning with Policy H1 which seeks to maximise the supply of additional housing to meet Local Plan targets for the plan period. The additional units would be incorporated into the approved blocks as shown in the table below.

| | No of dwellings Approved | No of dwellings Proposed | Uplift |
|-----------------|--------------------------|--------------------------|--------|
| Aspen Court | 49 | 51 | 2 |
| Aspen Villas | 37 | 39 | 2 |
| Grafton Terrace | 26 | 29 | 3 |
| Total | 112 | 119 | 7 |

5. Affordable Housing

- 5.1. Aspen Court was approved to be all social rented dwellings except for one core which would be private tenure (8 flats). This application amends the location of the social rented dwellings so that the social tenure dwellings approved for Grafton Terrace would be relocated to Aspen Court (to the core which was previously private tenure).
- 5.2. Policy H4 requires that 50% of affordable housing should be provided within development with capacity for 25 or more additional dwellings. Targets are applied to additional housing floorspace proposed, not to existing housing floorspace or replacement floorspace. The guideline mix of affordable housing types is 60% social-affordable rented housing and 40% intermediate housing.
- 5.3. The approved scheme (ref: 2014/5840/P) provided 62 market housing units and 50 social rent units. On a standalone basis (i.e. overall), the approved scheme provided 47% affordable housing (in terms of floorspace).

- 5.4. The officer's committee report (for 2014/5840/P) concluded that the approved scheme provided the maximum reasonable amount of affordable housing when taking into account viability.
- 5.5. The amended scheme would provide one additional social rent dwelling. Therefore, the total number of social rent homes would be 51. On a standalone basis (i.e. overall), the proposed scheme would provide 45% affordable housing (in terms of floorspace).
- 5.6. An up-dated Viability Assessment has been submitted as part of this application to demonstrate that the amended proposals are still delivering the maximum amount of affordable housing when taking into account the overall viability of the scheme.
- 5.7. Viability
- 5.8. A Financial Viability Assessment (FVA) has been submitted and this has been reviewed by the Council's independent auditor BPS. The submitted FVA considers two viability approaches, firstly the 'standard developer approach' and secondly the 'Council approach to viability'. BPS have recreated the scheme appraisals using the inputs provided by the applicant's viability assessor with amendments where necessary to provide an independent view of the viability position. The 'Council approach to viability' differs from the standard approach to viability in the following ways:
- A benchmark land value is not included. This approach is typical of estate renewal projects because the Council acts as both developer and landowner for the scheme.
 - The capitalised value of the affordable rented units has not been included in the overall gross development value.
 - The value of the TRA Hall is not included in the Council approach to viability given its community use.
 - Finance is not included in the Council approach to viability.
 - A developer profit has not been included in the Council approach to viability. This is common for Council schemes.
 - 36 social rented units would be demolished in order to enable this development and therefore a minimum of 36 social rent units would need to be provided in the proposed Council approach to viability scheme. This would not be the case for the standard developer approach to viability.

| | Standard Developer approach to viability | Council approach to viability |
|--------------------------------|--|-------------------------------|
| Total GDV | £49,200,000 | £45,900,000 |
| Total Cost & Profit | £57,000,000 | £47,000,000 |
| Surplus/Deficit | -£7,800,000 | -£1,100,000 |

- 5.9. It can be seen from the above that despite making some adjustments to the appraisals, both approaches to the proposed scheme result in a deficit. BPS therefore conclude that the current viability position does not support an increase to the affordable housing provision. It is noted in the BPS report that the Council approach is closer to being viable and that the applicant's viability assessor has stated that the Council can use its reserve to bridge the viability gap.

6. Housing mix

6.1. Policy H7 seeks a mix of dwelling sizes which contributes to meeting the priorities set out in the Dwelling Size Priorities Table and includes a mix of large and small homes. The priorities set out in the dwelling size priorities table have changed since the original application was assessed under the Local Development Framework (LDF) with some dwelling sizes increasing in priority and others decreasing in priority. In terms of social rent units, the dwelling size priorities table indicates that there is a high demand for 3 bedroom and 2 bedroom units and a lower demand for 1 bedroom units. There is a medium demand for 4-bed (or more) dwellings. The changes in the housing mix are shown in the table below. The proposed amendments would result in 75% of dwellings being high demand 2 and 3-bedroom homes. There is a reduction in 1-bed homes which is considered acceptable given that these are a lower priority. The loss of the approved 4-bed and 5-bed homes is considered acceptable as it is understood that the amendments to the housing tenure and unit mix are driven by the applicant seeking to meet an identified housing need and ensure the development provides the maximum reasonable amount of affordable housing.

| | Social rent (approved) | Social rent (proposed) | Market (approved) | Market (proposed) |
|------------------------|---------------------------|---------------------------|----------------------|----------------------|
| No. of bedroom s | No. / % | No. / % | No. / % | No. / % |
| 1-bed | 17 / 34% | 13 / 25% | 27 / 43% | 30 / 44% |
| 2-bed | 17 / 34% | 32 / 63% | 28 / 45% | 35 / 51.5% |
| 3-bed | 11 / 22% | 6 / 12% | 7 / 11% | 2 / 3% |
| 4-bed | 2 / 4% | 0 | 0 | 1 / 1.5% |
| 5-bed | 3 / 6% | 0 | 0 | 0 |
| Total | 50 | 51 | 62 | 68 |

6.2. In terms of the market units, the dwelling size priorities table indicates that there is a lower demand for 1 bed units, a high demand for 2 bedroom and 3 bedroom units and lower demand for 4-bed (or more) dwellings. The proposed amendments would result in 54.5% of dwellings being high demand 2 and 3-bedroom homes. The percentage of 1-bed homes is similar to that previously approved

7. Housing Quality

7.1. With regards to internal daylight within the proposed habitable rooms, detailed testing has indicated that these would comply with or exceed minimum ADF target recommendations. Acceptable daylight and sunlight levels are achieved overall and are comparable with the extant consent and as such, are considered satisfactory.

7.2. The standard of accommodation for future occupiers in terms of floorspace and external amenity space would meet or exceed London Plan standards and would be comparable to that previously approved.

8. Access

- 8.1. The scheme originally approved provided six wheelchair accessible units, which were to be fully fitted out for occupation, in Aspen Court (four) and Grafton Terrace (two). Given that the social tenure dwellings currently in Grafton Terrace would be relocated to Aspen Court, this would result in six wheelchair accessible dwellings in Aspen Court. In addition, all of these units would now be located on the ground floor of Aspen Court (rather than one on each floor). This would give direct access from ground level and avoid the use of lifts, mitigating the issues that would arise should these breakdown or are out of action for servicing.
- 8.2. There would be a further four wheelchair adaptable units in Aspen Villas and two adaptable units in Grafton Terrace. As with the extant scheme, any additional disabled parking spaces required by the residents of Aspen Court would be settled by the residents applying to the Council for a blue badge permit. The design of the wheelchair user and adaptable flats has been amended to be in accordance with updated Camden requirements and Part M of the Building Regulations. The wheelchair accessible and adaptable units would be secured in accordance with the relevant part of M4(3).
- 8.3. Whilst there would be no increase in the number of wheelchair user and adaptable units, the provision of 12 such units of a total of 119 units still achieves the required 10% of all units, as set out in the London Plan Policy 3.8 and Policy H6 of the Local Plan.

9. Design and appearance

- 9.1. On Aspen Villas, the large roof terrace to the rear of the 5th floor would be filled in to provide two additional units matching the layout of the floor below. The approved flats at this level have a 5sqm balcony in addition to the existing terrace, so the loss of the terrace to the rear would not significantly lessen the quality of these flats. Given the size and location of the additional massing, the impact on Aspen Villas would be minimal.
- 9.2. Grafton Terrace would no longer have maisonettes and would be split into individual dwellings per floor. This reflects the relocation of social rent units to Aspen Court. Lateral flats (rather than maisonettes), has meant the top storey, eastern set back has been removed with the building finishing in line with the storey below. The flats above the TRA hall have also been replanned. To the eastern side the central flat design has been rationalised so that they would now have balconies and an additional unit has been incorporated at 4th floor level. The TRA hall layout has been revised following consultation with the TRA, LBC Youth Service and LBC Building Control.
- 9.3. Across the scheme rooftop plant elements have now been determined. These include: lift overruns, rooflights, roof access hatches, photovoltaic panel locations and smoke extract plant. For Grafton Terrace, all roof top plant would be consolidated and set back on the main roof to the west end of terrace, housing AHU, condensers and ASHPs within an acoustic enclosure. Likewise, the proposed ASHPs to the roof of Aspen Villas would be located within an acoustic enclosure. ASHP's require full access to fresh air and an acoustic screen to attenuate noise output. The introduction of ASHPs would result in sustainability benefits (see 'Energy and Sustainability' section below). The consolidation of plant would free up roofspace on the remainder of the scheme and would prevent potential clutter, consolidating the plant requirement in one well designed area of the screen rather than spreading the impacts. The acoustic enclosure to both Aspen Villas and Grafton Terrace would be finished in a similar metal finish as the storey below. This would aid in integrating the roof structures. In addition the acoustic enclosures would be significantly set back from the roof edge of the respective blocks. Given that the proposed ASHPs need to be screened by an acoustic enclosure, the addition of a rooftop enclosure is considered

acceptable in this instance. While the size of the enclosure is not ideal, the sustainability benefits are given significant weight and on balance the rooftop enclosure is considered acceptable in this instance.

- 9.4. The entrance cores to Grafton Terrace have also been relocated, resulting in changes to the front door locations and associated entrance paths, bin stores and landscaping.
- 9.5. Plant rooms have been rationalised and would be located on ground floors; one to Aspen Villas, serving this building and Aspen Court and occupying space previously used for two residential units. The other is located to the east of Grafton Terrace and would be enlarged to meet the external wall line to the east side of this block.
- 9.6. The glazed balconies to Aspen Court have now been amended to metal panels and railings as there were building management concerns about the practicality of cleaning glass balustrades and ongoing maintenance costs. Details of the balustrades would be secured by condition. Design officers have reviewed the proposed changes and the amendments are considered to preserve the design quality of the original scheme.

10. Amenity

10.1. The proposed amendments include extensions to the approved blocks. The most noteworthy alterations to the approved form and massing being a plant area to the roof of Aspen Villas and Grafton Terrace and additional massing at 5th floor level of Aspen Villas and 4th floor level Grafton Terrace. A daylight and sunlight report has been submitted to support the proposed amendments. The report concludes that the majority of potentially affected locations would fully comply with BRE recommendations (in terms of retained VSC and NSL levels and the like). In a small number of locations the reductions between the existing and proposed daylight and sunlight levels would be considered by the BRE as potentially noticeable to occupants. However, the effect on daylight and sunlight is similar to the previous consent. This is to be expected as the proposed changes to the massing of the approved blocks would be relatively small. On balance, officers consider that the existing and approved daylight and sunlight levels would be retained to a satisfactory level.

10.2. Noise

10.3. An acoustic assessment has been submitted to support the application. The Council's Environmental Health Officer has reviewed the assessment. Section 4.1 of the Acoustic Review suggests plant noise limits of 33dB and 30dB for day and night time periods respectively, at 1m from external noise sensitive facades. These limits comply with Condition 5 issued under planning reference 2014/5840/P. The Acoustic Review acknowledges the Council's current plant noise policy is more stringent than Condition 5. Notwithstanding this, assuming plant noise levels at noise sensitive receptor locations are compliant with the Acoustic Review noise limits, then it can be seen in the event residences windows are partly open, internal noise levels specified by BS8233:2014 for habitable rooms and offices would be complied with. This is considered a justifiable reason for relaxing the Councils current plant noise policy.

10.4. In terms of mitigation measures it has been confirmed all fixed plant would be installed on anti-vibration mounts to prevent structure borne noise; roof top plant would include acoustic screens and the air intake and exhaust vents would be equipped with acoustic louvers. Full details of the fixed plant servicing the blocks is not available at this stage. Prior to occupation, it should be demonstrated that the cumulative plant noise levels from the developments external plant would comply with noise limits at noise sensitive locations.

This would be secured by condition.

10.5. Internal Plant Room

10.6. The Acoustic Review states the potential noise impact from internal plant rooms sharing residential party walls would be reviewed once full plant details were known. Prior to occupation, the applicant would be required to demonstrate suitable internal noise levels from the plant room are achieved in neighbouring noise sensitive residential properties. This would be secured by condition.

10.7. Tenants and Residents Association Hall

10.8. The exact building specifications for the TRA Hall are not known, although it is expected the Hall could be utilised for entertainment purposes involving amplified music/noise. Noise levels from such activities may adversely impact neighbouring residents. Therefore, it is recommended that a condition be imposed for sound tests prior to the first use of the hall to demonstrate compliance with the noise levels (63Hz and 125Hz) specified in the Acoustic Review.

10.9. It is also recommended that a suitable sound limiting device is installed in the TRA Hall. The limiting device should be set to ensure the noise limits specified at 63Hz and 125Hz in the Acoustic Review are not exceeded. A certificate of compliance would be required prior to the first use of the hall. This would be secured by condition.

10.10. Conditions

10.11. The application seeks to amend two noise conditions attached to the original permission. Condition 6 would be amended to ensure the noise mitigation was carried out in accordance with the recommendations of the Acoustic Review submitted with the current application. Condition 11 (No audible music) would be amended so as to make the condition more easily quantifiable and enforceable. The Council's Environmental Health Officer supports the change to this condition.

11. Energy and Sustainability

11.1. The previously consented scheme included gas-fired communal boilers for the social rent units and community centre; and individual gas fired condensing boilers to each market dwelling. Thermal energy for the development would now be delivered by two communal heating systems incorporating air to water air source heat pump (ASHP) technology installed in open, screened areas of roof on Grafton Terrace and Aspen Villas. A single end-of-terrace dwelling in the Grafton Terrace complex would include a single air-to-water heat pump unit located at ground level in the private garden.

11.2. As gas is becoming a relatively carbon intense fuel in comparison to electricity, the switch to ASHP powered by electricity would reduce CO₂ emissions. The use of electricity means there would be no combustion on the site and so no omission of particulates or incomplete products of combustion (NO_x etc.), thus benefitting air quality.

11.3. Due to the change in heat-energy strategy, the site-wide electricity loading for the development has increased. An additional substation to that consented in the extant scheme is required to serve Grafton Terrace. The proposed location of this substation is shown indicatively on the submitted drawings. Further detailed design work and consultation with UKPN and other service providers is required before the optimal position

for the substation can be identified. Details of the substation including its location would be secured by condition.

- 11.4. A rooftop plant area would be required for the ASHPs. This means that the area available for photovoltaic panels would be reduced. This loss of area would be mitigated through the use of higher-specification panels to produce similar energy levels compared to the extant scheme.
- 11.5. The application seeks to amend Condition 21 so that the development is required to achieve the Home Quality Mark comparable to level 4 of Code for Sustainable Homes (CfSH). The Home Quality Mark (HQM) is an assessment tool for new homes developed by BRE.
- 11.6. The application also seeks to amend Condition 31 so that it references the Energy Strategy submitted with the current application and reflects the revised carbon reductions from renewable technologies.
- 11.7. The approved development was predicted to achieve a 30% reduction in CO₂ emissions over the baseline target, including 10% from renewables (PV panels). The revised development would achieve a significant improvement in terms of CO₂ emissions with 44% reduction in carbon emissions compared to a 2013 Part L compliant notional building. The ASHP and Solar PV combine to achieve a 13.4% reduction at the Be Green stage.
- 11.8. The applicant has sought to demonstrate that the proposed HQM 3* is equivalent to CfSH level 4. The Council's Sustainability Officer has reviewed the justification. Provided that a score of at least 50% for energy credits is targeted (53% for water and 24% for materials) and a commitment is made to target all feasible credits, then an overall score of HQM3* would be accepted. Additional potential credits should be targeted to achieve HQM4* if feasible. This would be secured by condition. To reflect the Energy Statement, the wording of condition 31 would be revised to secure 'an overall reduction in on site carbon emissions of 44% with at least 13% achieved through renewable energy technology'.
- 11.9. The original scheme included green roofs and solar PVs at roof level of the proposed blocks. Because of the additional rooftop plant, the applicant sought to omit green roofs from the scheme. However, the feasibility of green roofs has not been fully explored by the applicant. Therefore a condition requiring a feasibility assessment for green roofs with solar PVs is recommended.

12. Transport

12.1. Cycle storage

12.2. The provision of cycle storage has been updated to reflect the increased number of units and revised unit mix across the scheme. The original consent provided 112 cycle storage spaces for the 112 dwellings with 49 spaces in Aspen Court, 37 spaces in Aspen Villas and 26 spaces in Grafton Terrace. The additional 7 units would provide cycle storage in accordance with the draft New London Plan (2019). This stipulates that for C3 residential dwellings provision should be made for 1 cycle storage space per 1-bedroom unit and 2 spaces for all other dwellings. This results in a requirement for 12 additional cycle parking spaces.

12.3. In Grafton Terrace, there would be communal cycle store providing 26 cycle spaces. In

addition, the two ground floor dwellings in Grafton Terrace are 1.5sqm in excess of the London Plan space standards for a two bedroom unit (70sqm), and so are suitable for internal cycle storage. It is assumed that the single house dwellings would keep cycles in the large back garden.

- 12.4. The scheme also provides short term parking for 28 cycles. This would exceed the requirement of the London Plan (1 space per 40 units).
- 12.5. Details of the cycle stores would be secured by condition.
- 12.6. Car free
- 12.7. As with the original consent, the 7 additional units would be secured car free by condition 44 of the decision notice and the shadow s106 legal agreement.

13. Waste

13.1. The waste strategy has been updated in line with the increased number of units and to meet the updated requirements set out in CPG Design 2019 and Environmental Services Technical Waste Guidance. Food waste bins would now be provided in addition to recycling and general waste bins. The external bin store to Aspen Villas and Grafton Terrace would be relocated internally. The following minimum requirement can be used to calculate the waste and recycling for communal bin stores:

- No. units x 120L general waste
- No. units x 140L mixed recycling or equivalent boxes
- No. of units x 23L food waste

13.2. The approximate waste requirements for each of the proposed blocks is set out below. In addition, the 3 individual dwellings on Grafton Terrace would each have their own waste storage area at the front of the each property.

| | | Waste (L) | Recycling (L) | Food waste (L) |
|----------------------------------|-------------|-----------|---------------|----------------|
| | No of units | 120 | 140 | 23 |
| Aspen Court | 51 | 6120 | 7140 | 1173 |
| Aspen Villas | 39 | 4680 | 5460 | 897 |
| Grafton Terrace (communal cores) | 26 | 3120 | 3640 | 598 |

13.3. The total capacity provided by the waste storage areas is broadly in line with the total capacity recommended by the guidance. There would be a small shortfall in terms of the amount of recommended recycling space for Aspen Court and Aspen Villas. There would also be a minor shortfall in terms of the recommended general waste provision for Grafton Terrace. However it is acknowledged that the amended waste proposals are working within constraints imposed by the extant consent. For both Aspen Villas and Grafton Terrace, changes were made to the waste strategy to respond to the Council's desire for the waste storage to be incorporated into the building envelope. This has been achieved, though the corresponding constraints on the waste storage area means that it has not been possible in every instance to meet the guidance in full. This is considered acceptable in this instance.

14. Landscaping

- 14.1. Various amendments are proposed to the hard and soft landscaping. The original approval involved the loss of 24 trees of the current 103 trees on site and the replanting of 53 trees. The proposals would see the loss of 25 trees and the replanting of 56 trees, three more than the consented plan.
- 14.2. The Central Courtyard to Aspen Court has been amended to include seating to the courtyard area and a more informal arrangement of trees. The seating would make it more accessible and usable for residents. The informal tree groupings would better allow daylight to enter the open space.
- 14.3. The hard and soft landscaping amendments are considered to be of a minor nature in the context of the overall scheme. The amendment is considered acceptable, there is no significant change to the overall planting, material and layout when compared to the approved scheme. Details of the landscaping would be secured by condition.

15. Deed of Variation

- 15.1. Given the original application was subject to a 'shadow' s106 Legal Agreement, a 'shadow' Deed of Variation would be required to ensure that the original heads of terms would continue to be secured.

16. Conclusion

- 16.1. Grant conditional planning permission subject to a shadow s106 Legal Agreement

DISCLAIMER

The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 27th July 2020, nominated members will advise whether they consider this application should be reported to the Planning Committee. For further information, please go to www.camden.gov.uk and search for 'Members Briefing'.

Application ref: 2019/4998/P
Contact: David Peres da Costa
Tel: 020 7974 5262
Date: 23 July 2020

Development Management
Regeneration and Planning
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Dear Sir/Madam

DRAFT
FOR INFORMATION ONLY - THIS IS NOT A FORMAL DECISION
Town and Country Planning Act 1990 (as amended)

DECISION SUBJECT TO A SECTION 106 LEGAL AGREEMENT

Address:

**Land bounded by Grafton Terrace
Maitland Park Villas and Maitland Park
containing Existing TRA Hall and Garages; and Land adjacent to Maitland Park Villas
containing existing Aspen House
gymnasium and garages.**

Proposal:

DECISION
Variation of condition 2 (approved drawings), 6 (noise report compliance), 11 (no audible music), 17 (detailed drawings and samples), 21 (Sustainability Assessment), 22 (CMP), 31 (Efficiency and Renewable Energy Plan) and 33 (Number of residential units) of planning permission 2014/5840/P dated 31/03/2015 (as amended by 2015/6696/P dated 14/04/2016 and 2020/0549/P dated 17/02/2020) (for Provision of residential units and replacement Tenants and Residents Association hall across two sites with associated multi-use games area, landscape and associated works, following demolition of Aspen House, gymnasium and garages at Maitland Park Villas and TRA Hall and garages on Grafton Terrace): NAMELY to increase the number of units (from 112 to 119 units); changes to elevations, materials and design; changes to the mix, size and layout of units, modifications to the energy strategy, waste strategy, cycle parking, landscaping and access.

Drawing Nos:

Revised drawings: MPI- P-: 4589 PL08; 4555 PL07; 4540 PL07; 4532 PL07; 4530 PL07; 4520 PL06; 502 PL10; 501 PL08; 500 PL08; 150 PL11; 130 PL12; 110 PL14; 100 P11; 46 PL09; 43 PL10; 42 PL14; 35 PL11; 34 PL11; 33 PL12; 32 PL12; 31 PL12; 30 PL13; 26 PL16; 22 PL12; 21 PL18; 15 PL14; 14 PL14; 13 PL15; 12 PL15; 11 PL15; 10 PL11; 06 PL12; 05 PL12; 04 PL12; 03 PL12;

MPI-: P2000 PL06; P1500 PL06; P1003 PL08; P1002 PL08; P1001 PL08; P1000 PL08;
122-: L06 L; L05 L; L04 L; L03 I

Supporting documents: Letter prepared by Quod dated 25 March 2020; Cover letter prepared by Quod dated 02 March 2020; PLANNING AND AFFORDABLE HOUSING STATEMENT V2 prepared by Quod dated 02 MARCH 2020; Financial Viability Assessment prepared by Beacon Partnership dated February 2020; ENERGY STATEMENT prepared by TGA dated 21 February 2020; DESIGN AND ACCESS STATEMENT prepared by Cullinan Studio dated February 2020; DAYLIGHT AND SUNLIGHT prepared by Avison Young dated 25 February 2020; Acoustic Review prepared by Cole Jarman dated 11 February 2020; DAYLIGHT AND SUNLIGHT prepared by Avison Young dated September 2019; Addendum to Preliminary Ecological Appraisal dated 26.09.2019; Maitland Park - Home Quality Mark Assessment prepared by Envision dated 23/07/2020

The Council has considered your application and decided to grant permission subject to the conditions and informatives (if applicable) listed below **AND** subject to the successful conclusion of a Section 106 Legal Agreement.

The matter has been referred to the Council's Legal Department and you will be contacted shortly. If you wish to discuss the matter please contact **Aidan Brookes** in the Legal Department on **020 7 974 1947**.

Once the Legal Agreement has been concluded, the formal decision letter will be sent to you.

Condition(s) and Reason(s):

1 This condition is intentionally left blank.

2 For the purposes of this decision, condition no.2 of planning permission 2014/5840/P shall be replaced with the following condition:

REPLACEMENT CONDITION 2

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

Site location plan; MPI_P01_PL02; MPI_P02_PL02; MPI_P03_PL12; MPI_P05_PL12; MPI_P06_PL12; MPI_P10_PL11; MPI_P11_PL15; MPI_P12_PL15; MPI_P13_PL15; MPI_P14_PL14; MPI_P15_PL14; MPI_P20_PL02; MPI_P21_PL18; MPI_P22_PL12; MPI_P25_PL02; MPI_P26_PL16; MPI_P30_PL13; MPI_P31_PL12; MPI_P32_PL12; MPI_P33_PL12; MPI_P34_PL11; MPI_P35_PL11; MPI_P40_PL02; MPI_P42_PL14; MPI_P43_PL10; MPI_P45_PL02; MPI_P46_PL09; MPI_P100_PL11; MPI_P110_PL14; MPI_P120_PL12; MPI_P130_PL12; MPI_P150_PL11; 122-LS04 Rev A; 122-LS05 Rev A; 122-LS06 Rev A; 122-LS07 Rev A; 122-LS08 Rev A; 122-LS09; 122-L03 Rev I; 122L04Rev L; 122-L05 Rev L; 122-L06 Rev L; Tree constraints existing layout; Tree constraints plan; Tree protection plan; Arboricultural Report by Crown consultants dated 5th June 2014; Tree schedule; Arboricultural Impact assessment by Crown consultants dated 1st April 2014; Daylight/sunlight Reports by Avison Young dated August 2014, September 2019 and February 2020; Drainage design strategy by Ramboll dated May 2014; Ecology Report by Ramboll dated July 2014; Ecology Statement by The Ecology Consultancy dated 26.09.2019; Energy Strategy by TGA dated 21 February 2020; Geotechnical and environmental desk study by Ramboll dated July 2014; Noise and vibration impact assessment by Ramboll dated July 2014; Transport Assessment by Ramboll dated May 2014; Planning Statements by Quod Planning dated July 2014 and 02 March 2020; Design and Access Statement by Cullinan Studios Revision H dated February 2020 and Financial Viability Assessment prepared by Beacon Partnership dated February 2020; MPI-P-502 PL10; 501 PL08; 500 PL08; Maitland Park - Home Quality Mark Assessment prepared by Envision dated 23/07/2020

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

- 3 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, without the prior approval in writing of the local planning authority.

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 A sample panel 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 before the relevant parts of the works are commenced and the development shall be carried out in accordance with the approval given. The approved panel shall be retained on site until the work 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 Noise thresholds

Noise levels at a point 1 metre external to sensitive facades shall be at least 5dB(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 10dB(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 A1 and A4 of the London Borough of Camden Local Plan 2017.

6 Noise mitigation

The development shall be carried out in accordance with the noise mitigation measures set out in the Acoustic Review Report by Cole Jarman (16/0565/R2 REVISION 4), hereby approved.

No residential unit shall be occupied until the mitigation measures relevant to all units have been installed.

Reason: To safeguard the amenities of the future occupants of the development in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.

7 SUDS

Prior to commencement of development of either the relevant phase of the development or works in connection with the MUGA, other than site clearance and preparation, relocation of services, utilities and public infrastructure and demolition, full details of the proposed sustainable urban drainage systems shall be submitted to and approved in writing by the local planning authority. Full calculations must be provided to demonstrate that the system designs will be based on a [1:100 year event with 30% provision for climate change demonstrating 50% attenuation of all runoff in accordance with site wide foul and surface water drainage strategy (31879-MPCV-130Rev P02, Apr 2014). The system shall be implemented as part of the development and thereafter retained and maintained.

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 and CC3 of the London Borough of Camden Local Plan 2017.

8 Contamination

At least 28 days before development of the relevant phase commences, other than site clearance and preparation, relocation of services, utilities and public infrastructure and demolition or works in relation to the MUGA:

a) a written programme of ground investigation for the presence of soil and groundwater contamination and landfill gas shall be submitted to and approved by the local planning authority in writing; and

b) following the approval detailed in paragraph (a), an investigation shall be carried out in accordance with the approved programme and the results and a written scheme of remediation measures [if necessary] shall be submitted to and approved by the local planning authority in writing.

The remediation measures shall be implemented strictly in accordance with the approved scheme and a written report detailing the remediation shall be submitted to and approved by the local planning authority in writing prior to occupation.

Reason: To protect future occupiers of the development from the possible presence of ground contamination arising in connection with the previous industrial/storage use of the site in accordance with policies C1, A1, and DM1 of the London Borough of Camden Local Plan 2017.

- 9 All work shall be carried out in accordance with the relevant recommendations of British Standard 3998: 2010. (Recommendation for Tree Work)

Reason: To ensure the preservation of the amenity value and health of the tree(s).

- 10 Hard and soft landscaping

No development shall take place on either the relevant phase of the development, or works in connection with the MUGA, other than site clearance and preparation, relocation of services, utilities and public infrastructure and demolition, until full details of hard and soft landscaping and means of enclosure of all un-built, open areas have been submitted to and approved by the local planning authority in writing (with input from the Councils Transport department). Such details shall include details of any proposed earthworks including grading, mounding and other changes in ground levels. The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

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

- 11 Music noise levels

No music shall be played in the community hall in such a way as to exceed levels of 47dB Leq,1min at 63Hz and 41dB Leq,1min at 125Hz inside any habitable room of any residential dwelling (including those forming part of the development itself). Dwellings forming part of the scheme should be considered with windows closed and adequate background ventilation provided.

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.

12 Lifetime Homes

The lifetime homes features and facilities, as indicated on the drawings and documents hereby approved shall be provided in their entirety prior to the first occupation of any of the new residential units.

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.

13 Tree protection

All trees on the site, or parts of trees growing from adjoining sites, unless shown on the permitted drawings as being removed, shall be retained and protected from damage in accordance with the tree protection details approved on 12/12/2016 under ref 2016/3170/P.

Prior to the commencement of any works on either the relevant phase of the development, or works in connection with the MUGA, details demonstrating how trees to be retained shall be protected during construction work shall be submitted to and approved by the Council in writing. Such details shall follow guidelines and standards set out in BS5837:2012 "Trees in Relation to Construction". All trees on the site, or parts of trees growing from adjoining sites, unless shown on the permitted drawings as being removed, shall be retained and protected from damage in accordance with the approved protection details."

Reason: To ensure that the development will not have an adverse effect on existing trees and in order to maintain the character and amenity of the area in accordance with the requirements of policies A2 and A3 of the London Borough of Camden Local Plan 2017.

14 Cycle storage

Before the relevant parts of the works within (a) Aspen Court; (b) Aspen Villas; or (c) Grafton Terrace of the development commences, other than site clearance and preparation, relocation of services, utilities and public infrastructure and demolition associated with that part of the development, detailed plans indicating the type and layout of secure and covered cycle storage facilities for the relevant part shall be submitted to and approved by the local planning authority in writing. The number of cycle spaces provided shall be as set out below.

- (a) Aspen Court: 58 long term cycle spaces plus 12 short term cycle spaces
- (b) Aspen Villas: 40 cycle spaces plus 4 short term cycle spaces
- (c) Grafton Terrace: 28 cycle spaces plus 12 short term cycle spaces

The approved facilities shall thereafter be provided in their entirety prior to the first occupation of each respective part of the development, 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.

15 Compliance with approved landscape details

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

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

16 Hours of use - TRA Hall

The use of the TRA Hall hereby permitted shall not be carried out outside the following times 0730-2230 Mondays to Saturdays and 9000-2200 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 and A4 of the London Borough of Camden Local Plan 2017.

17 Detailed drawings / materials

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 before the relevant part of the work is begun:

a) Details including sections at 1:10 of all windows (including jambs, head and cill), ventilation grills, external doors and gates;

b) Detailed drawings at 1:10 and samples of balustrades;

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.

18 * Affordable housing

Affordable housing shall be provided in accordance with the conditions and approved documents as set out in this decision. All affordable housing units shall be constructed and fitted out as units which are suitable for occupation as affordable housing and shall only be occupied and shall be retained in perpetuity for no purpose other than for the provision of social rented housing, in line with the definition for such as set out within Camden Supplementary Planning Document "Affordable Housing and Housing in Mixed-Use Development" and the requirements of the London Plan in relation to Social Rented Housing as such may be; not disposing of any interest in the Affordable Housing Units (except by way of mortgage) other than to any other Registered Social Landlord registered with the Regulator or any other body organisation or company registered with the Charity Commissioners for England and Wales and approved by the Homes and Communities Agency or the Regulator or the Council.

Reason: To secure sufficient provision of affordable and other tenures of housing in a balanced and sustainable manner across the development in accordance with the requirements of policies DM1, H4 and H5 of the London Borough of Camden Local Plan 2017.

19 *Car free development

Prior to first occupation of any of the residential units, the landowner shall ensure through agreement that occupiers of the new units are informed of the Council's policy that they shall not be entitled (unless they are the holder of a disabled person's badge issued pursuant to s. 21 of the Chronically Sick and Disabled Persons Act 1970) to be granted a Residents Parking Permit to park a vehicle in a residents parking bay; shall not be able to buy a contract permanently to park within any car park owned, controlled or licensed by the Council nor shall they be entitled to be granted a Business Parking Permit except for future occupation by any existing resident of the site who can apply to the Council's Housing Department to park in a parking space or garage on a housing estate managed by the Council's Housing Department.

Reason: In order to ensure that the development does not contribute to increased car use and parking congestion in accordance with the requirements of policies DM1 and T2 of the London Borough of Camden Local Plan 2017.

20 * Parking management plan

Prior to first occupation of the residential uses, a Parking Management Plan for Aspen Court, setting out details of how measures to prevent private vehicles from accessing the hard standing (except for servicing and for access to the disabled parking spaces) would be incorporated in the design, shall be submitted to and approved in writing by the Local Planning Authority and shall contain mechanisms for monitoring, review and further approval by the local planning authority .

The development shall not be occupied other than in accordance with the Parking Management Plan.

Reason: In order to ensure that the new courtyard is not opened up to abuse from ad-hoc parking and to accord with the requirements of policies DM1, A1 and T2 of the London Borough of Camden Local Plan 2017.

21 * Home Quality Mark

Prior to implementation of each phase of the development, other than site clearance and preparation, relocation of services, utilities and public infrastructure and demolition or works in relation to the MUGA, the applicant and/or developer shall submit to the local planning authority a Design Stage Sustainability Assessment setting out the manner in which the development will achieve at least Home Quality Mark 3 star for the residential units and to target additional potential credits so as to achieve HQM 4 star if feasible and attaining at least 50% of the credits in the 'Energy' category and at least 53% in the 'Water' category and at least 24% of the credits in the 'Materials' category in accordance with the 'Maitland Park - Home Quality Mark Assessment' prepared by Envision dated 23/07/2020 hereby approved.

The development shall be implemented in accordance with the Assessment as approved.

Prior to first occupation of each phase of the residential units, a post completion certificate which demonstrates that the phase has achieved at least Home Quality Mark 3 star or HQM 4 star if feasible and attaining at least 50% of the credits in the 'Energy' category and at least 53% in the 'Water' category and at least 24% of the credits in the 'Materials' category (in accordance with the Design Stage Sustainability Assessment) shall be submitted to and approved in writing by the local planning authority

Reason: In order to secure the appropriate energy and resource efficiency measures in accordance with the requirements of policies DM1, CC1, CC2, CC3 and CC4 of the London Borough of Camden Local Plan 2017.

22 * CMP

The demolition of the Tenants and Residents Association hall, garages and pram shed shall be carried out in accordance with the Construction Management Plan approved under reference 2016/2448/P (granted on 25/05/17). The demolition of Aspen House and Maitland Park gymnasium and garages shall be carried out in accordance with the Construction Management Plan approved under reference 2019/6310/P (granted on 05/06/2020). The measures contained in the Construction Management Plan shall at all times remain implemented throughout the duration of the works of demolition and construction.

Prior to implementation, including demolition, of either the relevant phase of the development, or works in connection with the MUGA, a Construction Management Plan (CMP) including an Air Quality Assessment) shall be submitted to and approved by the local planning authority.

The CMP shall set out all measures that the Owner will adopt in undertaking the demolition of the existing buildings and the construction of the Development using good site practices in accordance with the Council's Considerate Contractor Manual.

Such plan shall include measures to for ensuring highway safety and managing transport, deliveries and waste (including recycling of materials) throughout the demolition and construction periods and which demonstrates consideration of and liaison with other concurrent developments in the wider area.

The plan shall also include details of a community working group involving local residents and businesses, a contractor complaints/call line and measures to be carried out to mitigate the impact of the noise arising from construction and demolition activities on local residents and businesses, a waste management strategy and means of monitoring and reviewing the CMP from time to time.

The measures contained in the Construction Management Plan shall at all times remain implemented during all works of construction and demolition. Where separate Construction Management Plans are submitted for the demolition and the construction phases the provisions of this condition will apply to both plans.

Reason: In order to protect the pedestrian environment and the amenities of the area generally and to ensure the continued free flow of traffic in the area in accordance with policies DM1, A1, A4, CC4 and T4 of the London Borough of Camden Local Plan 2017.

23 * Open Space contribution

Support for public open space shall be implemented in accordance with details approved under 2016/0762/P dated 02/03/2016 or such other details of necessary measures to secure provision of, and improvements to, public open space which have been subsequently submitted to and approved in writing by the local planning authority.

Reason: To ensure that the scheme makes adequate provision for open space facilities in the area and that the impact of the scheme on open space facilities is mitigated in accordance with policies DM1, A1, D1, A2 and A3 of the London Borough of Camden Local Plan 2017.

24 * Education contribution

Support for local education infrastructure shall be implemented in accordance with details approved under 2016/0762/P dated 02/03/2016 or such other details to secure appropriate measures to support the local education infrastructure which have been subsequently submitted to and approved in writing by the local planning authority.

Reason: To ensure that the impact of the scheme on the local education infrastructure is mitigated in accordance with policies DM1 and C2 of the London Borough of Camden Local Plan 2017.

25 * Environmental and public realm contribution

Support for necessary environment and public realm works shall be implemented in accordance with details approved under 2016/0762/P dated 02/03/2016 or such other details to secure appropriate measures to support necessary environment and public realm works which have been subsequently submitted to and approved in writing by the local planning authority.

Reason: To ensure that the pedestrian environment is maintained and improved in accordance with policies DM1, T1 and A1 of the London Borough of Camden Local Plan 2017.

26 * Level Plans

No part of the relevant phase of the development, with the exception of the MUGA, shall commence, until such time as the Council has confirmed in writing that it has received plans demonstrating the levels at the interface of the relevant phase of Development with the boundary of the Property and the Public Highway.

Reason: To ensure that the scheme promotes the use of sustainable transport means in accordance with policies DM1 and A1 of the London Borough of Camden Local Plan 2017.

27 * CO2 offset contribution

Support for offsetting the CO2 emissions arising from the development shall be implemented in accordance with details approved under 2016/0762/P dated 02/03/2016 or such other details to secure necessary measures to secure appropriate provision for offsetting the CO2 emissions arising from the development which have been subsequently submitted to and approved in writing by the local planning authority.

Reason: In order to secure the appropriate energy and resource efficiency measures in accordance with the requirements of policies DM1, CC1, CC2, CC3 and CC4 of the London Borough of Camden Local Plan 2017.

28 * Local employment

Prior to commencement of development of either the relevant phase of the development, other than site clearance and preparation, relocation of services, utilities and public infrastructure and demolition, or works in connection with the MUGA, the applicant and/ or/ developer shall:

a) have entered into an agreement with Kings Cross Construction Skills Centre to ensure that all job vacancies during the construction phases are registered with KSCSC at the same time as other recruitment efforts and all reasonable endeavours are used to ensure that no less than 20% of the work force is comprised of residents of the London Borough of Camden,

b) have entered into an agreement with the Kings Cross Construction Skills Centre (KXCSC) to ensure provision of no less than 8 construction trade apprentices employed for at least 52 weeks each;

c) confirm that the necessary measures to support and ensure the recruitment and training of each apprentice have been put in place;

d) have entered into an agreement with the Kings Cross Construction Skills Centre (KXCSC) to ensure provision of no less than 13 work placements of no less than 2 weeks each;

e) ensure delivery of a minimum of one supplier capacity building workshops/"Meet the Buyer" events to support small and medium enterprises within the borough to tender for the contracts.

Reason: To ensure the development provides sufficient employment and training in line with the requirements of policies E1, E2 and DM1 of the London Borough of Camden Local Plan 2017.

29 * Local procurement

Prior to commencement of development of either the relevant phase of the development, other than site clearance and preparation, relocation of services, utilities and public infrastructure and demolition, or works in connection with the MUGA, a programme for local procurement shall be submitted to and approved in writing by the local planning authority. The programme shall detail opportunities for local businesses to bid/tender for the provision of goods and services to the Development in accordance with the Council's Local Procurement Code and the developer shall use reasonable endeavours to provide opportunities for local businesses to bid/tender for the provision of facilities management services and other post construction supply of goods and services.

On or prior to Implementation, the developer shall meet with the Council's Economic Development Local Procurement Team (or any successor department) at least one month before tendering contracts to agree the specific steps that will be taken to give effect to the Local Procurement Code.

The construction of the Development shall not be carried out otherwise than in accordance with the approved programme for local procurement.

Reason: To ensure the development provides sufficient employment and training in line with the requirements of policies E1, E2 and DM1 of the London Borough of Camden Local Plan 2017.

30 Legal agreement

In the event that any owners of the land have the legal locus to enter into a Section 106 Agreement no works shall be progress on site until such time as they have entered into such an Agreement incorporating obligations in respect of the matters covered by conditions marked with * in this notice of planning permission.

Reason: In order to define the permission and to secure development in accordance with policy DM1 of the London Borough of Camden Local Plan 2017.

31 * Energy Efficiency and renewables plan

On or prior to the Implementation Date, other than site clearance and preparation, relocation of services, utilities and public infrastructure and demolition or works in relation to the MUGA, the developer shall submit to the Local Planning Authority for approval the Energy Efficiency and Renewable Energy Plan which shall include the following:

- a) incorporation of measures set out in the submission document Energy Strategy by TGA dated 21 February 2020;
- b) further details of how the Development's overall carbon emissions will be reduced by at least 44% with at least 13% by way of renewable energy technologies;
- c) separate metering of all low and zero carbon technologies to enable the monitoring of energy and carbon emissions and savings;
- d) a building management system being an electronic system to monitor the Development's heating cooling and the hours of use of plant;
- e) include a pre-Implementation review by an appropriately qualified and recognised independent verification body certifying that the above measures are achievable ;
- f) measures to secure a post construction review by an appropriately qualified and recognised independent verification body certifying that the above measures have been achieved and will be maintainable; and
- g) identifying means of ensuring the provision of information to the Council and provision of a mechanism for review and update as required from time to time.

All such measures thus demonstrated shall be secured prior to first occupation of the development and thereafter retained and maintained in accordance with the manufacturers' recommendations".

Reason: To ensure the proposal is energy efficient and sustainable in accordance with policy policies CS5, CS13 and CS16 of the London Borough of Camden Local Development Framework Core Strategy and policies DP22, DP26 and DP32 of the London Borough of Camden Local Development Framework Development Policies

32 * Highways works

Support for necessary highway works shall be implemented in accordance with details approved under 2016/0762/P dated 02/03/2016 or other such details of necessary measures to secure the necessary highway works for the development which have been subsequently submitted to and approved in writing by the local planning authority.

Reason: To ensure the development has an acceptable impact on the adjacent highway and provides an attractive safe and secure environment in accordance with the requirements of policies DM1 and A1 of the London Borough of Camden Local Plan 2017.

33 Number of residential units

The development hereby permitted shall comprise 119 residential units upon completion and be delivered in accordance with the approved plans set out in Condition 2 of this planning permission.

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

34 Solar PV and green roofs

Prior to commencement of development other than site clearance & preparation, relocation of services, utilities and public infrastructure and demolition, a feasibility assessment with the aim of maximising the provision of solar photovoltaics and green and/or other biodiverse roofs should be submitted to the local planning authority and approved in writing. The buildings shall not be occupied until the approved details have been implemented and these works shall be permanently retained and maintained thereafter.

Reason: To ensure the development provides adequate on-site renewable energy facilities and 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 and CC3 of the London Borough of Camden Local plan Policies.

35 Verification report

Prior to occupation of the relevant block, an acoustic report shall be submitted to and approved by the Local Planning Authority in writing. The acoustic report shall provide details of all plant for that block and verify whether the cumulative noise from the plant complies with Condition 5 and provide details of any further mitigation required. Any mitigation required shall be provided 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 A1 and A4 of the London Borough of Camden Local Plan 2017.

36 Internal noise levels

Prior to occupation of the relevant block, an acoustic report shall be submitted to and approved by the Local Planning Authority in writing. The acoustic report shall provide full details of all plant in the plant room and shall:

- a) demonstrate the internal noise levels at any location within adjoining dwellings at 100Hz one third octave band centre frequency shall not exceed unweighted 48dB Leq at day (07:00hrs -23:00hrs) and 43dB Leq at night (23:00hrs - 07:00hrs) with the operation of the plant room at full capacity.
- b) include specification for the installed performance of the building fabric such as windows etc. and provide details of alternative means of background ventilation in order to comply with the noise limits set out in a) above.

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.

37 Music from TRA Hall

Prior to the first use of the TRA hall, an acoustic report shall be submitted to and approved by the Local Planning Authority in writing. The acoustic report shall provide sound tests to demonstrate music from the TRA Hall complies with condition 11.

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.

38 Sound limiter

A suitable sound limiting device shall be installed in the TRA Hall. The limiting device shall be set to ensure the noise limits specified by condition 11 are not exceeded. Prior to the first use of the TRA hall, a certificate of compliance shall be submitted to and approved by the Local Planning Authority in writing. The limiter shall be protected in such a manner so as to prevent tampering by unauthorised persons.

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.

39 Substation

Prior to commencement of the relevant part, full details of the sub-station including location and detailed design shall be submitted to and approved by the local planning authority in writing; the development shall be carried out in accordance with the approved plans prior to the first occupation of the development.

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.

40 Wheelchair accessible units

Units AC_001, AC_002, AC_004, AC_008, AC_010 and AC_011 as indicated on the plan MPI_P_500_PL08 shall be designed and constructed in accordance with Building Regulations Part Part M4(3)(2)(b). 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.

41 Wheelchair adaptable units

Units AV_001, AV_005, AV_101, AV_106, GT_105 and GT_205 as indicated on the plans MPI_P_501_PL08 and MPI_P_502_PL10 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.

Informative(s):

1 Definition of phases

The first phase of the Development comprises development on land defined as the existing Tenants and Residents Association hall and garages on land bounded by Grafton Terrace Maitland Park Villas and Maitland Park.

The second phase of the Development comprises development on the existing Aspen House residential block on land adjacent to Maitland Park Villas.

2 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts which 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, Argyle Street WC1H 8EQ, (tel: 020-7974 2363).

3 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 Environmental Health Service, Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 2090 or by email env.health@camden.gov.uk or on the website www.camden.gov.uk/pollution) 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.

4 The Mayor of London introduced a Community Infrastructure Levy (CIL) to help pay for Crossrail on 1st April 2012. Any permission granted after this time which adds more than 100sqm of new floorspace or a new dwelling will need to pay this CIL. It will be collected by Camden on behalf of the Mayor of London. Camden will be sending out liability notices setting out how much CIL will need to be paid if an affected planning application is implemented and who will be liable.

The proposed charge in Camden will be £50 per sqm on all uses except affordable housing, education, healthcare, and development by charities for their charitable purposes. You will be expected to advise us when planning permissions are implemented. Please use the forms at the link below to advise who will be paying the CIL and when the development is to commence. You can also access forms to allow you to provide us with more information which can be taken into account in your CIL calculation and to apply for relief from CIL.

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

We will then issue a CIL demand notice setting out what monies needs to paid when and how to pay. Failure to notify Camden of the commencement of development will result in a surcharge of £2500 or 20% being added to the CIL payment. Other surcharges may also apply for failure to assume liability and late payment. Payments will also be subject to indexation in line with the construction costs index.

Please send CIL related documents or correspondence to CIL@Camden.gov.uk

- 5 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts which 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, Argyle Street WC1H 8EQ, (tel: 020-7974 6941).
- 6 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.
- 7 The matters covered by conditions marked with an * are matters which would usually be incorporated into a Section 106 Agreement. On Council own schemes because the Council cannot enter into an agreement with itself the usual practice would for the permission to reference the Section 106 requirements for information.

If the Council retains ownership of the application site although the reference to Section 106 requirements would not be legally binding they would act as a record of the requirements the Council as planning authority expects the Council as landowner to comply with. If the Council disposes of a relevant interest in the Application Site (which for the avoidance of doubt will not include disposals to individual tenants and occupiers) the incoming owner will be required to enter into a Section 106 giving effect to those requirements which will then become a legally binding document.

- 8 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.
- 9 Thames Water will aim to provide customers with a minimum pressure of 10m head (approx. 1 bar) and 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.
- 10 For Condition 14 part c, a maximum of 1no. cycle space may be provided within the curtilage of the ground floor dwellings on Grafton Terrace.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

Yours faithfully

Supporting Communities Directorate