

OFFICERS' REPORT

This application is being reported to the Sub-Cttee as it entails a Major Development comprising more than 10 dwellings and more than 1000m² of commercial floorspace, and because the recommendation is subject to a S.106 legal agreement.

1. SITE

- 1.1 The site is a narrow elongated strip on the south side of Blackburn Road and backing onto West Hampstead railway station and railway tracks, and just behind West End Lane. The site area is 2908m². It contains the old Express dairy warehouse/depot, comprising a series of one and two storey brick office buildings and a large yard, and has been vacant since before 2001. The western end of the site is relatively narrow and has its yard below street level and level with the adjoining rail tracks. Blackburn Road is a short cul-de-sac serving primarily commercial properties, and it also provides a strategic footpath link from Finchley Road adjoining the O2 Centre.
- 1.2 Opposite the site are a 3 storey terrace of residential properties (nos.3-9), a 2-3 storey office block (no.13), and two workshop/depots. Behind the site is West Hampstead railway station and tracks used by Chiltern Railways and London Underground. West End Lane has a 2 storey station over the railway bridge and single storey structures adjoining it, and 3-4 storey terraced buildings to its north and south. This part of West End Lane is designated as lying within the secondary frontage of the West Hampstead District Shopping Centre. The southern edge of the site adjoins the Swiss Cottage conservation area, the boundary of which includes the railway station and platforms.
- 1.3 The site is not designated in the UDP Schedule of Proposals and has no safeguarding restrictions on it.

2. THE PROPOSAL

Original

- 2.1 Redevelopment of whole site by the erection of a 4 storey eastern block comprising two B8 warehouse and eight B1 office units with service yard, together with a 4 storey plus basement western block comprising 12 houses with underground car parking.

Revision 1

- 2.2 Revised housing mix to provide 8 houses and 6 flats, roof shape set back from both Blackburn Road and West End Lane sides; improvements to servicing yard and access to upper floor B1 units; further information on noise and traffic reports.

Revision 2

- 2.3 Roof terrace removed, roof shape design revised for houses; goods lift access provided to upper floor B1 units; daylight report on impact on dwellings opposite.

3. RELEVANT HISTORY

- 3.1 1.8.58 - pp for use as dairy (retail distribution depot)
- 3.2 4.2.59 - pp for reconstruction of covered yard and alterations
- 3.3 Application submitted in 2001 for redevelopment comprising 2 storey warehouse/showroom and 3 floors above to provide twelve B1 office units, plus associated servicing yard; later withdrawn on submission of this current application.

4. CONSULTATIONS

Transport bodies

4.1 Transport for London (TfL)

(Members should note that TfL were consulted on the basis of their involvement in the West Hampstead stations and interchange proposals, but are not a statutory consultee) raise serious concerns- consider that it would be sensible for the scheme to be determined after completion of the Project Champion's recommendations on Interchange options; detrimental impact on traffic and pedestrians in West End Lane, no improvements to junction despite increased traffic volume; access to warehouse by HGV's difficult in narrow road, weight restrictions on bridge, thus non-warehouse uses preferred here; increased pedestrian/vehicle generation especially in conjunction with planned station improvements (including new Chiltern Rail station and Thameslink 2000 project), leading to congestion and safety issues; contributions needed to improve pedestrian safety and traffic calming; reduction of car parking or car-free housing possible at this accessible location.

R1- unable to comment in time due to delays in completing report on Interchange thus wish to be re-consulted in December.

- 4.2 London Underground Ltd object - will not allow access onto their land for construction and maintenance, which will inevitably be required for this site, thus needs to be designed to prevent such access; balconies will cause danger to trains and passengers as result of thrown/falling items.

- 4.3 Chiltern Railways object - site forms part of overall site required for interchange station, including providing room for relocated railway lines/platforms for Chiltern and Underground lines; their proposals have support from TfL's Project Champion's interim report and will improve transport facilities, including better road layout, rail/tube level access, pedestrian/cycling facilities and replaced weak bridges; proposal will prevent development of these facilities and contravenes UDP policies/objectives..

Conservation Area Advisory Committee

- 4.4 No response

Local Groups

- 4.5 West Hampstead Local Consultative Group object - increased traffic generated by warehouse and residential, especially at dangerous junction with West End Lane; Blackburn Road as an access road is too narrow and unsuitable for this development; residential should be car free; development too bulky; site too noisy for housing; premature in advance of strategy for station interchange.
R1: identical response.

- 4.6 West Hampstead Amenity and Transport (WHAT) object - prejudices development of proposed Interchange facilities.
R1: object as before, development of all related sites with development potential should be considered on comprehensive basis and not piecemeal.

4.7 **Adjoining Occupiers**

	Original	R1/2
<i>Number of Letters Sent</i>	30	00
<i>Number of responses Received</i>	00	00

5. **POLICIES**

Camden Unitary Development Plan 2000

- 5.1 RE1- regeneration (*complies*)
 RE2- impact on amenity and environment (*complies*)
 RE4- location of devt (*complies*)
 RE5- mixed use devt (*part complies*)
 RE6- planning obligations (*complies*)
 EN1- environment (*complies*)
 EN5- noise and disturbance (*complies*)
 EN6- plant/machinery (*complies*)
 EN10- contaminated land (*complies*)
 EN13- design (*complies*)
 EN14- setting of new devt (*complies*)
 EN18- infill devts (*complies*)
 EN19- amenity (*complies*)
 EN20- community safety (*complies*)
 EN37- sites adjoining conservation areas(*complies*)
 TR1- public transport accessible devt (*complies*)
 TR3- transport impact statement (*complies*)
 TR10- traffic restraint (*complies*)
 TR16- car free housing (*not complies*)
 TR17- resid. parking standards (*complies*)
 TR22- cycling (*complies*)
 TR23- servicing (*complies*)
 HG5- mixed use devts (*part complies*)
 HG6- supporting facilities (*complies*)
 HG8- increased resid. accommodation (*complies*)
 HG10- density (*part complies*)
 HG11- affordable housing (*part complies*)
 HG12- privacy (*complies*)
 HG13-amenity space (*complies*)
 HG15- range of housing types (*part complies*)
 HG16- new build housing mix (*complies*)
 EC3- retention of employment uses (*part complies*)
 EC4- location of businesses (*complies*)
 EC6- flexible use of businesses (*complies*)
 EC9- Class B8 uses (*complies*)
 DS2- density standard (*part complies*)
 DS5- overlooking standard (*complies*)
 DS6- noise/vibration standard (*complies*)
 DS8- carparking standard (*complies*)

DS9- servicing standard (*complies*)
DS10-cycle parking standard (*complies*)

Supplementary Planning Guidance

- 5.2 Planning obligations
Pollution and noise
Vehicles and pedestrians

6. ASSESSMENT

- 6.1 The principal considerations material to the determination of this application are summarised as follows:

- extent of compliance with UDP policy on land use;
- traffic/transport impact;
- bulk/design considerations; and
- acceptability of housing next to railway line.

Proposal

- 6.2 The applicants originally proposed an entirely commercial scheme, but withdrew this on account of changed market conditions and now wish to have a mixed use involving both housing and B1/B8 space. The housing is introduced at the western end of the site, for the reason that this is poorly shaped and sited to provide efficiently sized employment floorspace (see para. 6.5 below).
- 6.3 The scheme as revised is split into 2 parts: the eastern half will have a 4 storey block comprising two B8 warehouse units (sized 683m² and 831m²) on lower and upper ground floors and eight B1 office units on the 2 floors above (in a range of 270-376m² units), together with a large open yard on the eastern side for servicing and parking, and a rear service alley to gain access to the upper floor B1 units; whilst the western half will have a 4 storey terraced block comprising 8 houses (each 3 bedroom/6 person units, with a top storey unspecified "loft room") and 6 flats (1 x 3 bed/5person, 5 x 2 bed/4person), together with basement car parking and refuse storage accessed via a ramp. The top storey will be flat roofed, and set back behind a front roof terrace, and the rear elevation of each house will have 3 balconies.

Principles

- 6.4 No objection is raised to the principle of the redevelopment of the site. The existing buildings are utilitarian structures of no architectural merit and do not contribute to the character of the area; the site is underused and a more intensively and efficiently developed use of a brownfield site such as this can be justified. The site is not designated in the UDP Schedule of Proposals, and there are no specific guidelines in respect of its development. Local groups and TfL object to the redevelopment at this stage, arguing that this is premature in advance of the feasibility studies and options being considered by TfL for the provision of a new West Hampstead public transport interchange connecting all the surrounding stations. No details have yet been published on the various options. However this site, along with other railway sites nearby, are not yet subject to any safeguarding or zoning designations, and there are no policy

reasons why the principle of the redevelopment of this site can be objected to at this stage: Members are reminded that this same issue was considered in relation to the site at 148-152 West End Lane further north at the meeting of the Sub-Committee on 16.1.03, when Members were minded to approve that redevelopment in principle.

Land use - business

- 6.5 The site is a large and valuable employment site, considered suitable for retention as such according to an assessment relative to criteria for size, condition, location, accessibility as specified in policy EC3: it is of a large size (over 1000m²) and adjoining railway lines and other industrial/depot uses. Although the existing buildings are in poor condition, they can be easily redeveloped to provide more appropriate and intensive employment uses. However, the site is not directly connected to the Borough's strategic road network (West End Lane is only a local distributor road; although heavily used in rush hours), and it is very elongated with a thinly tapered western end at below street level, which, according to the applicants, makes this part difficult to use efficiently for employment uses. Thus the site accords with the provisions of policy EC3 and it should therefore be retained for employment purposes; consequently the use of half of the site for residential purposes would be contrary to this policy. This issue has been discussed with the applicants/agents, who have stated that they are not prepared to increase the amount of the site area for employment purposes.
- 6.6 The employment use proposed for this site accords with UDP policies: it involves expansion of business floorspace next to West Hampstead District Centre (EC4); there is no adverse impact from continued and expanded use of this site for B8 purposes (EC9) (see traffic analysis below); as revised, it is designed to allow flexible operation of the B1 units for both offices and light industry (EC6). Furthermore, it involves a more intensive use of a site which has a derelict B8 depot with poor employment potential, and a substantial increase of floorspace from existing 1643m² to 5067m² (1875m² B8 and 3192m² B1) - this represents a 300% increase in floorspace, which is to be welcomed, and provides a greater range of employment opportunities in the type of businesses that can be accommodated here (a mixture of B1a, B1c and B8 uses).
- 6.7 Although a total use of the whole site for employment purposes would be preferred, it is considered that an exception can be made to policy EC3 and that an alternative use for housing could be considered on the western part of the site. As already explained above, this end is the least useful part of the site in terms of providing large and efficiently laid-out business suites with associated servicing and parking provision. The development provides a large 300% increase in business floorspace as part of this mix. Mixed use of this site, which is in a highly accessible location next to several public transport facilities, accords with the principles of PPG3 and PPG13, which encourage mixed uses on accessible town centre sites. UDP policy RE5 encourages mixed use of sites to contribute to the supply of housing - it should be noted however that RE5 (as originally worded) does not require this provision outside Major Centres, but the recently revised version does require developments adding 1000m² floorspace to provide a mix of uses on-site including housing. It is thus considered that a mix of business and housing floorspace as currently proposed

on this site would be acceptable in these circumstances.

Land use - housing

- 6.8 It should be emphasised that this application was submitted prior to 14.3.02 when draft revised UDP policies were introduced (and later agreed by the Council) on mixed uses and affordable housing; thus it has to be assessed in light of previously adopted UDP policies prior to these alterations. The original proposal for 12 houses (subsequently revised to 14 units) thus falls below the 15 unit threshold referred to in policy HG11 for affordable housing, and thus an absence of any affordable housing in the scheme complies with that policy; however it would now fail to comply with the more recently altered UDP policy which has a lower threshold of 10 units. The scheme complies with policies HG5 and HG8, which encourage increased housing on underused and vacant sites and more housing in mixed use schemes; HG10 permits higher densities in highly accessible locations which this is; HG16 encourages a high proportion of family-sized dwellings in new developments. This scheme has over 50% of its units as 3 bedroom family sized houses, which is welcomed by policy HG16; however officers would have preferred a greater mix of unit sizes with more smaller flats to take advantage of this highly accessible location next to a station, but the applicants were not prepared to amend the scheme in this way. Members should note that the applicants have not agreed to requests to consider contributing to the supply of affordable housing in the Borough, either by providing more units on site or by a financial contribution for off-site provision.
- 6.9 The location of housing next to the railway line has been assessed as acceptable by environmental health officers (see para. 6.13 below). The estimated density is very high at 252 HRA as a result of full-site coverage, and exceeds the maximum range specified for this area (70-100HRA). However, it is considered that a high density is acceptable here, given the fact that it is a "brownfield" site in a highly accessible location next to public transport facilities and a District Shopping Centre, and because of the nature of the surrounding built-up area and the fact that the impact of the proposed development on townscape and residential amenity is deemed acceptable. Furthermore, such high density developments are encouraged by PPG3 on sites such as this. Thus, on balance, it is considered that the location, number and mix of houses are acceptable in this case.
- 6.10 The applicants have agreed to make educational contributions as a result of the new housing provision, in line with UDP/SPG advice on supporting the development of related local facilities; this amounts to £56,644 (calculated on the basis of 9 x 3 bedroom and 5 x 2 bedroom units) and will be subject to a S.106 agreement.
- 6.11 It is recommended that a condition be imposed to ensure that a site investigation is carried out on the potentially contaminated nature of the land (due to its previous transport depot related uses) to establish whether any remedial measures are required.

Traffic

- 6.12 A Traffic Impact Statement (TIS) has been prepared by the applicants' consultants and subsequently revised; traffic officers are satisfied now that the development will not have a detrimental impact on the surrounding road network in terms of vehicular generation. In particular, they agree that considerable spare capacity exists at the junction of Blackburn Road and West End Lane and that it is capable of accommodating more traffic, including that anticipated for the proposed redevelopment (it is estimated that approx. 300-400 vehicles per hour could turn from Blackburn Road without causing queuing or capacity problems, whereas the total movements following the proposed development would be only in the order of 75). It should also be borne in mind that the previous milk depot use had the potential for generating a very high number of delivery related trips.
- 6.13 However, and particularly in the light of TfL's comments, traffic officers are concerned that there is the potential for greater conflict between pedestrians and vehicles at the road junction, bearing in mind its current heavy use by passengers transiting between stations and the likelihood that proposed development will generate additional HGV's using this junction. It is therefore suggested that the applicants should pay for traffic calming and pedestrian priority improvements at this junction, in the form of a speed table with associated tactile paving and adjoining pavement resurfacing. The applicant has agreed to contribute £20,000, as estimated to be the approx. total cost for this junction improvement. It should, in this respect, be noted that officers will also require applicants of other potential development sites in the immediate area to contribute to additional highway safety and footway improvement works as and when applications are submitted in the future. Furthermore, a Green Travel Plan will be required to encourage alternative public transport use for all business users on this site; it is anticipated that this should be easily achievable given the site's location next to excellent public transport links. The Green Travel Plan should also aim to mitigate the impact of vehicle movements from servicing of the commercial units, by means of green servicing/timed deliveries outside peak commuting hours and reduced servicing through multiple purpose deliveries etc.
- 6.14 The layout and facilities (with 6 car spaces and 15 cycle racks) of the service yard for the business uses is considered to be acceptable. It can accommodate all servicing on-site so as not to obstruct this narrow lane, although large articulated lorries for the warehousing would have to reverse into the site; however, given the limitations of the shape of the site, this is acceptable at this end of a lightly trafficked cul-de-sac. As revised, proper delivery access via goods lifts is possible for all B1 units to ensure their flexible use for both office and industrial purposes.
- 6.15 The 14 residential units will be provided with one car space and cycle rack each in a dedicated basement. This complies with UDP standards, although it is regretted that the housing could not be car-free in such a highly accessible location, which is eminently suitable for this restriction. Nevertheless, the development complies with policy TR17 on parking provision, and omission of the proposed basement car park would be difficult as it makes effective use of an existing basement level that cannot be used as habitable space. The applicants have, however, agreed to ensure that the housing is "car-capped"; to be included in the legal agreement.

Amenity

- 6.16 The proposed housing will lie next to a busy railway line and station and thus will be subject to railway noise and vibration. A comprehensive noise and vibration report has been prepared by the applicant's consultants and separately calibrated by environmental health officers. They confirm that the site falls within Noise Exposure Category C as defined by PPG24 on Planning and Noise, which means that it is a viable location for housing development provided certain design measures are undertaken to protect it from noise and vibration from both rail and road traffic. Officers are satisfied that the site is capable of accommodating both housing and offices subject to mitigating design measures as proposed by the consultants, which will be subject of detailed conditions.
- 6.17 Conditions are also proposed to ensure that any roof plant for the commercial uses will not cause any problem.
- 6.18 A comprehensive daylight and sunlight report has been prepared by the applicant's consultants to assess the impact of the proposed housing blocks on the housing opposite at nos. 5-9 Blackburn Road (no.13 is in commercial use). The report shows that the ground floor rooms (which all have bay windows) comply with BRE recommendations on daylight and sunlight, either by use of the Vertical Sky Component test or the working plane test, and that the proposal will not result in a significant loss of light to adjoining properties below recommended target values.
- 6.19 The roof terraces that were originally proposed at the front of the houses have been now been omitted to prevent overlooking to the residential properties opposite. The balconies at the rear are acceptable as they only overlook the railway line and do not overhang it (despite London Transport's comments). They are necessary to provide adequate amenity space, but the site's location, topography and configuration precludes larger more traditional gardens.
- 6.20 Finally, the scheme would have the advantage of improving community safety, in that the provision of housing and offices with new entrance doors and glazed areas will improve surveillance and lighting for pedestrians using this stretch of road which forms part of the strategic footpath link between West End Lane and Finchley Road but which currently has an unattractive and blank high wall adjoining the pavement.

Bulk/design

- 6.21 The bulk of the overall scheme has been reduced by 1 storey from the first application (now withdrawn). The housing has been further reduced in bulk by setting back and redesigning the top storey behind a flat roof, both alongside Blackburn Road and from the western edge behind West End Lane shops so that its visual impact from the main road is less obtrusive; also the roof form of this roof has been designed in a more discreet modern idiom so that it is more appropriate in this context. The proposed height of 4 storeys is appropriate in the context of adjoining properties (3 storeys opposite, 3-4 storeys on West End Lane, although the buildings over the railway line are 1-2 storeys only) and high density developments in this type of accessible location are deemed

appropriate as discussed above. Almost full-site coverage is acceptable, as adequate servicing, parking and amenity space is provided. It should be further noted that Members at the meeting of the Sub-Committee on 16.1.03 were minded to agree the principle of a 4 storey development at 148-152 West End Lane, which has similar townscape circumstances.

- 6.22 The design is very simple and modest with brick and timber cladding (plus render for the warehouses) used on the elevations and a simple grid pattern of windows; the house roofs have a simple curved profile set behind balustrades to reduce their visual impact. The design and form is acceptable, given the local townscape in this cul-de-sac, which has no defining character except that of an industrial backwater, and the utilitarian nature of the commercial element at its eastern end is acceptable in this context. The development will not harm the townscape character of the adjoining Swiss Cottage conservation area to the south; Broadhurst Gardens immediately adjoining the railway station has substantial 3-4 storey commercial/residential terraced properties. Conditions are attached to ensure submission of more details of elevational design and materials.

7. CONCLUSION

- 7.1 It is considered that on balance the proposal complies with UDP policies, not least on the basis that the application predates the revised policies agreed after March 2002. Although it results in partial loss of a valuable employment site, it does provide a 300% increase in business floorspace, flexibly designed, and provides new family sized housing, which is to be welcomed as a mixed use on this accessible town centre site. Furthermore it complies with standards on parking and servicing, and on protection of housing from railway noise/vibration, and it will not have a detrimental impact on local traffic or environmental conditions or adjoining occupiers' amenity. Although it does not provide affordable or car-free housing, which are to be encouraged here, the application nevertheless complies with UDP policies on these matters at the time of its initial submission.

- 7.2 The application is recommended for approval subject to a legal agreement covering several issues agreed by the applicant:

1. all new residential units to be "car-capped", to prevent access to on-street residents parking bays;
2. production and adoption of a Green Travel Plan for each future user of the Class B1 and B8 units, and to be submitted for approval within 3 months after the date of occupation of each separate use; the Green Travel Plan should also cover issues of servicing as described in para. 6.13 above.
3. Payment of £56,644 to the Council, as an educational contribution arising from the proposed residential development; payment to be released on implementation of the scheme.
4. Payment of £20,000 to the Council, for implementation of highway and footway improvements at the junction of Blackburn Road and West End Lane, as described in para. 6.13 above; payment to be released on implementation of the scheme.

8. LEGAL COMMENTS

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

9. RECOMMENDATION:

- 9.1 **Grant planning permission subject to a S.106 legal agreement covering the 3 issues listed in para. 7.2 above and subject to the following conditions:**

Conditions:

1. The details of the elevations and facing materials to be used on the buildings shall not be otherwise than as shall have been submitted to and approved by the Council before any work on the site is commenced. (CD01)
2. The development shall be constructed in strict accordance with the drawings hereby approved or drawings that are subsequently approved pursuant to conditions that are attached to this planning permission. In particular, the goods lifts serving the Class B1 and B8 units shall be fully provided in accordance with the details shown on the drawings hereby approved prior to the first occupation of any of these units, and thereafter permanently maintained. (CD13 - amended)
3. Details of the proposed roof plant shall not be otherwise than as shall have been submitted to and approved by the Council before any work on the site is commenced, and any plant shall be installed in strict accordance with the approved details. (CD08- amended)
4. The flat roofs on the Blackburn Road frontage of the new residential units hereby approved shall not be used as roof terraces.
5. The "warehouse" and "office" units, as shown on plans BLK-P-102a and 103a hereby approved, shall be used only for Class B8 and Class B1(a-c) respectively and for no other purpose, as defined within the Schedule of the Town and Country Planning (Use Classes) Order, 1987.
6. The "warehouse" units shall be used for the purpose of a Class B8 warehouse only and no goods shall be available for sale to members of the general public. (CF03 - amended)
7. In respect of the "warehouse" and "office" units, no process shall be carried on or machinery installed which is not such as could be carried on or installed in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit. (CG02 - amended)
8. Prior to the commencement of work on site, a scheme providing for the insulation of the proposed residential dwellings against the transmission of externally generated traffic noise (and vibration) from road and rail shall be submitted to and approved by the Council. Any works that form part of the scheme shall be completed in accordance with the approved details prior to the first occupation of any of the dwellings. (CG05 - amended)

9. Prior to the commencement of work on site, a scheme providing for the insulation of the proposed Class B1 units against the transmission of externally generated traffic noise (and vibration) from rail shall be submitted to and approved by the Council. Any works that form part of the scheme shall be completed in accordance with the approved details prior to the first occupation of any of the Class B1 units. (CG05 - amended)

10. At 1 metre outside the windows of any neighbouring habitable room the level of noise from all plant and machinery shall be at all times at least 5 decibels below the existing background noise levels, expressed in dB(A) at such locations. Where the noise from the plant and machinery is tonal in character the differences in these levels shall be at least 10 dB(A). (CG08)

11. Before the use commences, details of the method of waste storage and removal shall be submitted to and approved by the Council and the approved method shall thereafter be permanently maintained. (CG20, amended)

12. Before the use commences, details of the design and location of the proposed cycle racks for both residential and commercial uses shall be submitted to and approved by the Council. The cycle racks shall be implemented in accordance with these details prior to the first occupation of the units and thereafter permanently maintained.

13. The whole of the car parking accommodation shown on the drawings shall be provided and retained permanently for the parking of vehicles of the occupiers and users of the remainder of the building. (CH01)

14. The areas shown on the approved drawings as parking, access, loading and manoeuvring areas shall be provided and thereafter be maintained, and shall not be used other than for the purposes shown. In particular a maximum of 1 car space per residential unit shall be provided and permanently maintained in the basement car park. (CH04 - amended)

15. No loading or unloading of goods, including fuel, by vehicles arriving at or departing from the premises shall be carried out otherwise than within the curtilage of the building. (CH03)

16. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 or any Order revoking and re-enacting that Order, no development within Part 1 (Classes A-H) of Schedule 2 of that Order, in respect of the houses hereby approved, shall be carried out without the grant of planning permission having first been obtained from the Council. (CI02, amended)

17. Details of the provision for access for disabled persons in compliance with the provisions of Section 4 of the Chronically & Sick and Disabled Persons Act 1970 and the 1985 Building Regulations (as amended by the Building (Disabled People) Regulations 1987) shall not be otherwise than as shall have been approved by the Council before any work on the site is commenced. (CJ01)

18. No development shall take place until the applicant has secured the implementation of a programme of investigation into potential contamination of

the land (including any recommendations for appropriate remedial measures), which has been submitted by the applicant and approved by the Council. The development shall only take place in accordance with the detailed remedial measures pursuant to this condition.

Reasons for Conditions: (note - policy numbers updated)

1. To ensure that the Council may be satisfied with the external appearance of the building in accordance with the requirements of policies EN1 and EN13 of the London Borough of Camden Unitary Development Plan 2000. (DD01)
2. To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policies EN1 and EN13 of the London Borough of Camden Unitary Development Plan 2000, and to ensure that the units are capable of providing a full range of employment opportunities within the B1 and B8 Use Classes in accordance with the requirements of policy EC6 of the London Borough of Camden Unitary Development Plan 2000. (DD04 - amended)
3. To ensure that the Council may be satisfied with the external appearance of the building in accordance with the requirements of policies EN1 and EN13 of the London Borough of Camden Unitary Development Plan 2000. (DD01)
4. In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of policies EN1 and EN19 of the London Borough of Camden Unitary Development Plan 2000. (DD07)
5. To ensure that the future occupation of the building shall be in accordance with the Council's policy for business and employment uses as set out in policies EC3, EC4, EC6 and EC9 of the London Borough of Camden Unitary Development Plan 2000. (DF02)
6. To ensure that the premises are not used for purposes which would conflict with the Council's shopping policies or which would be likely to generate an excessive amount of vehicular traffic in order to ensure compliance with the requirements of policies SH6, SH14 and TR11 of the London Borough of Camden Unitary Development Plan 2000. (DF05)
7. To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policy RE2 of the London Borough of Camden Unitary Development Plan 2000. DG01
8. In order to ensure that the new development is adequately protected against the penetration of noise and vibration in accordance with the requirements of policy RE2 of the London Borough of Camden Unitary Development Plan 2000. (DG02, amended)
9. In order to ensure that the new development is adequately protected against the penetration of noise and vibration in accordance with the requirements of policy RE2 of the London Borough of Camden Unitary Development Plan 2000. (DG02, amended)

10. To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policy RE2 of the London Borough of Camden Unitary Development Plan 2000. DG01

11. To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policy RE2 of the London Borough of Camden Unitary Development Plan 2000. DG01

12. In order to ensure that the scheme complies with Council standards on cycle parking in accordance with the requirements of policy TR22 of the London Borough of Camden Unitary Development Plan 2000.

13. To ensure the permanent retention of the accommodation for parking purposes and to ensure that the use of the building does not add to traffic congestion in accordance with the requirements of policy TR10 of the London Borough of Camden Unitary Development Plan 2000. (DH01)

14. To avoid obstruction of the surrounding streets and to safeguard amenities of adjacent premises, in accordance with the requirements of policy TR23 of the London Borough of Camden Unitary Development Plan 2000. (DH03)

15. To ensure the availability of the facilities in accordance with the approved scheme in order to ensure compliance with the requirements of policies TR17 and TR23 of the London Borough of Camden Unitary Development Plan 2000. (DH04, amended)

16. To safeguard the visual amenities of the area and to prevent over development of the site by controlling proposed extensions and alterations, in order to ensure compliance with the requirements of policies EN1 and EN14 of the London Borough of Camden Unitary Development Plan 2000. (DI01)

17. In order to ensure compliance with the terms of the Act and Regulations in order to ensure compliance with the requirements of policy RE3 of the London Borough of Camden Unitary Development Plan 2000. (DJ01)

18. The site has the potential to be contaminated following previous and historic land uses. Accordingly the Council wishes to ensure the site is capable of being safely reused for alternative residential uses, in accordance with the requirements of policy EN10 of the London Borough of Camden Unitary Development Plan 2000.

Informatives:

1. The Council's Streets Management Engineering Group should be consulted regarding the construction of the crossover on the public highway and any other work to, under, or over, the public highway, including vaults and thresholds. The Group dealing with these matters is located at Camden Town Hall, Argyle Street, WC1H 8EQ, (tel: 020-7278 4444). (IA01)

2. In good time, prior to the start of construction (or if appropriate, demolition) on site, the contractor shall discuss and agree with the Council's Streets Management Traffic Management Section (tel: 020-7974 5629) detailed

arrangements for the transportation of goods and materials to and from the site. The Council will prosecute those responsible for any breaches of the provisions of the Highways and Litter Acts that occur as a result of construction on the site. (LA02)

3. Your attention is drawn to the requirements of Sections 4, 7 and 8A of the Chronically Sick and Disabled Persons Act 1970 that this development (for employment use or to which the public will be admitted) should be made accessible to people with disabilities wherever practicable. Guidance is provided in British Standards Institution Code of Practice BS 5588 1987 "Access for the Disabled to Buildings". (IB01)

4. Your proposals may be subject to control under the Building Act 1984, the Building Regulations and the London Building Acts: 1930-82, and you are advised to consult the Council's Building Control Service, Camden Town Hall, Argyle Street WC1H 8EQ (tel: 020-7974 6941). (IB09)

5. Your attention is drawn to the need to consult the Council's Environment & Consumer Protection Service, Waste Management Team, Town Hall, Argyle Street entrance, Euston Road, WC1H 8EQ, (tel: 020-7278 4444) regarding arrangements for the disposal of refuse. (IE02)

6. Works of construction and ancillary activity should not take place other than between the hours of 08.00am to 18.00pm on Monday to Friday and 08.00am to 13.00pm on Saturday, with no working on Sunday or Bank Holidays, in order to comply with locally enforced standards. (IE04)

7. 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 Council's Records and Information Service, Environment Department (Street Naming & Numbering) Camden Town Hall, Argyle Street, WC1H 8EQ (tel: 020-7974 5613). (IH03)

8. 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. (IH06)

9. The development hereby approved may be subject to the Construction (Design and Management) Regulations 1994 which govern health and safety through all stages of a construction project. The Regulations require clients (i.e. those, including developers, who commission construction projects) to appoint a planning supervisor and principal contractor who are competent and adequately resourced to carry out their health and safety responsibilities. Further information is available from the Health and Safety Executive Infoline (tel.0514 545500). (IH09)

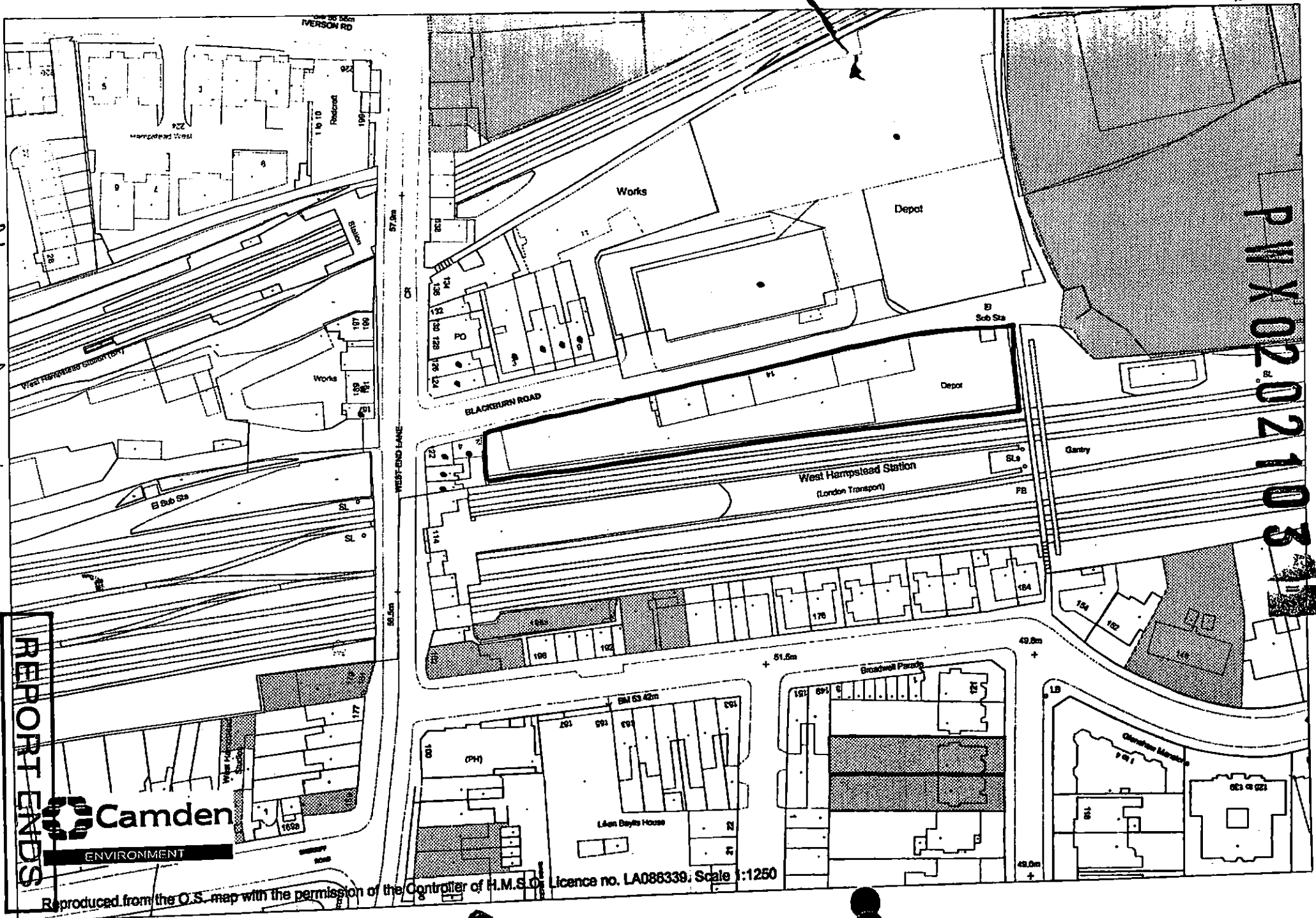
10. You are advised to ensure that the development complies with any subsequent conditions imposed by London Underground Ltd. as owner of the adjoining railway land.

14 Blackburn Road

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REPORT ENDS



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