

Application ref: 2020/2364/P
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Savills
33 Margaret Street
London
W1G 0JD

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted Subject to a Section 106 Legal Agreement

Address:

**1-3 Ferdinand Place
London
NW1 8EE**

Proposal:

Demolition of the existing building and the erection of a four storey building with roof level accommodation, terraces and PV panels, comprising office use (Class E) at ground floor level and 9 self-contained residential units (Class C3) on the upper floors, plus associated plant, cycle parking and refuse storage

Drawing Nos: Existing plans: 3262-CB-A-DR-0001 rev P2; 3262-CB-A-DR-0010 rev P1; 3262-CB-A-DR-0011 rev P1; 3262-CB-A-DR-0051 rev P1; 3262-CB-A-DR-0052 rev P.

Proposed plans: 3262-CB-A-DR-1002 rev P; 3262-CB-A-DR-1001 rev P2; 3207-CB-A-DR-1010 rev P7; 3207-CB-A-DR-1011 rev P9; 3207-CB-A-DR-1012 rev P5; 3207-CB-A-DR-1013 rev P12; 3207-CB-A-DR-1014 rev P12; 3207-CB-A-DR-1015 rev P5; 3207-CB-A-DR-1051 rev P11; 3207-CB-A-DR-1052 rev P10; 3207-CB-A-DR-1053 rev P8; 3207-CB-A-DR-1054 rev P8; 3207-CB-A-DR-1073 rev P2; 3207-CB-A-DR-1056 rev C.

Supporting documents: Planning Statement prepared by Savills dated May 2020; Transport Statement prepared by Caneparo Associates dated May 2020; Energy and Sustainable statement prepared by JAW Sustainability dated 22/01/2021; Design and Access Statement Addendum prepared by Cove Burgess Architecture dated November 2020; Air Quality Assessment prepared by Air Quality Assessments Ltd dated 01/09/2020; Daylight and Sunlight Report prepared by Schroeders Begg (UK)

LLP dated November 2020; M4(2) Category: Ecological Impact Assessment prepared by ECOSA dated May 2020; Arboricultural Planning Statement prepared by Alastair Durkin dated 15/05/2020; Acoustic Report prepared by Auricl Acoustic Consulting dated 13/05/2020; Accessible and adaptable dwellings prepared by Cove Burgess Architecture dated 10/03/2021; Construction / Demolition Management Plan Pro Forma prepared by Caneparo Associates dated 14/05/2020 rev A; Environmental Report Phase 1 prepared by Contaminated Land Solutions dated 25/02/2020; Financial Viability Assessment Report - Draft prepared by Luxgrove Capital Partners dated May 2021; Asbestos refurbishment / demolition survey prepared by Arisien.

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

Condition(s) and Reason(s):

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

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

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

Existing plans: 3262-CB-A-DR-0001 rev P2; 3262-CB-A-DR-0010 rev P1; 3262-CB-A-DR-0011 rev P1; 3262-CB-A-DR-0051 rev P1; 3262-CB-A-DR-0052 rev P.

Proposed plans: 3262-CB-A-DR-1002 rev P; 3262-CB-A-DR-1001 rev P2; 3207-CB-A-DR-1010 rev P7; 3207-CB-A-DR-1011 rev P9; 3207-CB-A-DR-1012 rev P5; 3207-CB-A-DR-1013 rev P12; 3207-CB-A-DR-1014 rev P12; 3207-CB-A-DR-1015 rev P5; 3207-CB-A-DR-1051 rev P11; 3207-CB-A-DR-1052 rev P10; 3207-CB-A-DR-1053 rev P8; 3207-CB-A-DR-1054 rev P8; 3207-CB-A-DR-1073 rev P2; 3207-CB-A-DR-1056 rev C.

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

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

a) Details including plans, coloured elevations and sections at 1:10 of all windows, ventilation grilles, external doors and gates.

b) Plan, coloured elevation and section drawings of the new ground floor frontage shopfronts at a scale of 1:10.

c) Manufacturer's specification details of all facing materials including roofing, fenestration and balustrades (to be submitted to the Local Planning Authority) and samples of those materials (to be provided on site or via high-resolution email photographs if site viewing is not possible). Samples of materials to be provided at a suitable size (eg. 1x1m) and alongside all neighbouring materials.

d) Details of all typical façade details that are not covered within a) including plans, coloured elevations and sections at 1:10 of all brickwork.

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

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

- 4 Prior to the commencement of works, a method statement including details of (removal/dismantling of the cobbled setts and granite kerb stones to Ferdinand Place including their protection during construction and any repair) shall be submitted to and approved in writing by the local planning authority. The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

Reason: In order to safeguard the historic interest of the locally listed highway in accordance with the requirements of policy D2 of the Camden Local Plan 2017.

- 5 Prior to the commencement of works, excluding site setup and preparation, a strategy for salvage and appropriate reuse of demolished materials for no. 1 Ferdinand Place, mainly the white-painted relief plaques set into the walls, shall be submitted to and approved by the local planning authority.

The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

Reason: In order to safeguard the character and appearance of the local area in accordance with the requirements of policy D2 of the Camden Local Plan 2017.

- 6 Apart from those already detailed on the approved plans, 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 facade of the building facing Ferdinand Place.

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.

- 7 Prior to the commencement of works on site, tree protection measures shall be installed and working practices adopted in accordance with the arboricultural report by AD Tree Consulting dated 20th May 2020 ref. 2020/008/APS/REVA. 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 BS5837:2012 and 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 Camden Local Plan 2017.

- 8 Prior to the occupation of the new flats, full details of screening and other measures to reduce overlooking to neighbouring occupiers at 2 Ferdinand Place and 12 Ferdinand Street from the proposed terraces (specifically from the west sides of the two 4th floor roof terraces and associated windows and the south side of the 1st floor rear balcony) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the details thereby approved and permanently maintained thereafter.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of policy A1 of the London Borough of Camden Local Plan 2017.

- 9 The flat roofs of the new development that are not annotated as roof terraces on the plans hereby approved shall be accessed for maintenance purpose only and shall not be used as additional roof terraces.

Reason: To safeguard the amenities of the future occupiers and adjoining neighbours in accordance with the requirements of policy A1 of the Camden Local Plan 2017.

- 10 Prior to first occupation of the residential units, the approved refuse and recycling storage areas shall be provided in their entirety and permanently retained and maintained thereafter.

Reason: To safeguard the amenities of the future occupiers and adjoining neighbours in accordance with the requirements of policies A1 and CC5 of the Camden Local Plan 2017.

- 11 Prior to commencement of above-ground development works, full details of the

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

Reason: To protect the amenity of residents in accordance with Policy CC4 of the London Borough of Camden Local Plan 2017.

- 12 No development shall take place until:
- a) prior to installing monitors, full details of the air quality monitors have been submitted to and approved by the local planning authority in writing. Such details shall include the location, number and specification of the monitors, including evidence of the fact that they have been installed in line with guidance outlined in the GLA's Control of Dust and Emissions during Construction and Demolition Supplementary Planning Guidance;
 - b) prior to commencement, evidence has been submitted demonstrating that the monitors have been in place for at least 3 months prior to the proposed implementation date.

The monitors shall be retained and maintained on site for the duration of the development in accordance with the details thus approved unless otherwise agreed with the local planning authority in writing..

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

- 13 Prior to commencement of above-ground works, drawings (floor plans, elevations, and sections) and data sheets showing the location, extent and predicted energy generation of photovoltaic cells and associated equipment to be installed on the building shall have been submitted to and approved by the Local Planning Authority in writing. The measures shall include the installation of a meter to monitor the energy output from the approved renewable energy systems. A site-specific lifetime maintenance schedule for each system, including safe roof access arrangements, shall be provided. The cells shall be installed in full accordance with the details approved by the Local Planning Authority and permanently retained and maintained thereafter.

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

- 14 The gas boilers hereby approved to be fitted in the new residential development shall achieve a NO_x emissions of <40 mg/m³ and an energy efficiency rating >90%.

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

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

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

- 16 Prior to commencement of development other than site clearance and preparation, a feasibility assessment for a hybrid blue-green roof should be submitted to the local planning authority and approved in writing. If a blue/green roof or green roof are considered feasible, details should be submitted to the local authority and approved in writing. The details shall include the following:
- a) detailed maintenance plan,
 - b) details of its construction and the materials used,
 - c) a section at a scale of 1:20 showing substrate depth averaging 130mm with added peaks and troughs to provide variations between 80mm and 150mm, and
 - d) full planting details including species showing planting of at least 16 plugs per m².

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

Reason: To ensure the development contributes to minimising the need for further water infrastructure in an area of water stress in accordance with policies A3, CC2 and CC3 of the London Borough of Camden Local Plan 2017.

- 17 Secure and covered cycle storage areas for 18 residential long-stay cycle spaces, 4 commercial long stay cycle spaces and 3 combined (residential and commercial) short-stay cycle spaces shall be provided in accordance with the approved plan 3262-CB-A-DR-1010 rev P6. The approved cycle cage within the enclosed courtyard shall include a covered roof. The approved facilities shall be provided in their entirety prior to the first occupation of any of the new units and permanently retained and maintained 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.

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

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies A1 and A4 of the

London Borough of Camden Local Plan 2017.

- 19 Prior to commencement of use, plant or equipment and ducting at the development shall be mounted with proprietary anti-vibration isolators and fan motors shall be vibration-isolated from the casing and adequately silenced and maintained as such.

Reason: To ensure that the amenity of occupiers of the development site and surrounding premises is not adversely affected by vibration in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.

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

Reason: To ensure that the amenity of occupiers of the development site and surrounding premises is not adversely affected by vibration, in accordance with the requirements of Policies A1 and A4 of the London Borough of Camden Local Plan 2017.

- 21 The units B1, B2, B4, B5, B6, B7, B8 and B9 as indicated on the plans hereby approved shall be designed and constructed in accordance with Building Regulations Part M4(2).

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 Camden Local Plan 2017.

- 22 The unit B3 as indicated on the plans hereby approved shall be designed and constructed in accordance with Building Regulations Part M4(3).

Reason: To ensure that the wheelchair unit would be capable of providing adequate amenity and accessibility for future occupiers in accordance with Policy H6 of the Camden Local Plan 2017.

- 23 Notwithstanding the provisions of Class E of Part A of Schedule 2 of The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020, the ground floor unit marked 'office' on the plans hereby approved shall be only used for purposes within Class E (g) and for no other use.

Reason: To ensure that the future occupation of the building retains employment space and does not adversely affect the adjoining premises/immediate area by reason of noise, traffic congestion etc in accordance with policies A1, T1 and E2 of the London Borough of Camden Local Plan 2017.

- 24 Any asbestos contamination and its removal and mitigation shall be carried out in accordance with the asbestos survey by Arisien (Asbestos refurbishment / demolition survey) hereby approved. The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

Reason: To protect future occupiers of the development from the possible contamination arising in connection with the buildings on the site in accordance with policies A1, C1 and CC5 of the London Borough of Camden Local Plan 2017.

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

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

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

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

Informative(s):

- 1 Reasons for granting permission.

BACKGROUND:

Permission was granted in December 2018 (ref: 2016/2457/P) for this site and the adjoining site at 4, 6 and 8 Ferdinand Place for demolition of the existing buildings and erection of 2 new four storey plus basement buildings for commercial use at ground and basement levels and 19 residential units split across both sites. This permission has not been implemented and has now expired on 14th December 2021. However it remains a material planning consideration in assessing this new scheme. The site at 1-3 Ferdinand Place was originally owned by Leverton and Sons funeral directors (Sui Generis use) but was sold to a private residential developer. The site at 4, 6 and 8 Ferdinand Place remains as a funeral directors and Leverton has confirmed that the funeral directors' operational needs can be met at the larger site at 4, 6 and 8 Ferdinand Place thus ensuring that the well-established business will continue to operate in the street.

LANDUSE

New commercial floorspace:

The existing ground floor measures 292 sq. m and is part of the existing

building that was purpose-built to meet the needs of the funeral directors (Sui Generis use). The ground floor provided a mortuary, embalming facility, coffin storage and garaging of operational vehicles. There is no policy requirement to protect Sui Generis uses; however the employment element of the use is something that the Council seeks to protect. It is unlikely that the existing space would be suitable for or meet the needs of new commercial occupiers due to its layout that reflects the nature of the use. The proposal would include the creation of 179 sq. m of new commercial floorspace (Class E). There would be a loss of 113 sq. m existing commercial floorspace due to the creation of a residential entrance, internal lift, dedicated shared cycle storage and internal bin stores at ground floor level. The new commercial floorspace would be of a better quality with open plan layout which would be well lit with large floor to ceiling windows which would be suitable as shared office space for SME's. It would therefore meet the requirements of policy E2 and would be considered acceptable. A condition is imposed to ensure the office unit is used for its intended purpose and for not for other non-business uses within Class E.

Principle of new housing:

Self-contained housing is regarded as the priority landuse of the Camden Local Plan and policy H1 states that the Council will make housing its top priority when considered the future of underused land and buildings. The proposal includes 9 self-contained residential flats. The provision of additional residential floorspace within the Borough is strongly supported by policy H1. The principle of building a new building on the site is considered acceptable subject to its overall height, massing, form, scale, footprint and detailed design (see relevant sections below).

The proposal would include 9 new residential units and falls under the threshold of 1000 sq. m that requires on-site affordable housing provision. The proposal includes an area of 179 sq. m of commercial floor space on the ground floor. If in the future the commercial floorspace became surplus to requirements and an application was submitted for change of use to residential, there would be a requirement for the owner to agree to a payment-in-lieu that will be assessed as it would be for an application made to alter the permitted scheme prior to completion. This would ensure that the full assessment of affordable housing contributions can be secured as part of any proposal. This would be secured by s106 legal agreement.

2 Reasons (contd)-

Housing mix and Unit size:

Policy H6 advises that the Council seeks to secure a variety of housing suitable for existing and future occupiers across development in the Borough. Policy H7 seeks to provide a range of unit sized to meet demand across the Borough. All the flats within the proposed development would be a mix of 2 x 1 bed (22.2%); 5 x 2 bed (55.6%) and 2 x 3 bed (22.2%). This would provide a choice and mix of homes in line with policy H7 and would be considered acceptable. All of the flats would meet the minimum floorspace requirements according to the London Plan in terms of size and layout for 1 bed, 2 bed and 3 bed units. All the accommodation has good access to natural light and ventilation.

Quality of accommodation:

Each of the new residential units would be dual aspect with the majority of the window openings to each flat mainly facing east. All habitable rooms would be served by large glazed windows providing a high standard of accommodation. Each flat within the new development would benefit from private amenity space in the form of private terraces and / or internal balconies and their size and design would be considered acceptable.

Daylight and sunlight:

All habitable rooms have been assessed against BRE recommendations for good lighting. They would meet and exceed the Average Daylight Factor (ADF) targets. Due to the orientation of the building the main windows on the front and rear elevation that serve habitable rooms are east and west facing. The report demonstrates that all living rooms receive reasonable levels of sunlight (APSH)

Privacy and outlook:

The new building would adjoin the neighbouring residential blocks at nos. 10 and 12 Ferdinand Street to the west. There would be a separation distance of approx. 11m between the windows of the new residential block and the windows in the southern and eastern elevations of no 12 Ferdinand St. No. 2 Ferdinand Place lies directly to the south opposite the application site approx. 8m away and includes residential units on the upper floors. The relationship of the previously approved new building (as part of the scheme in 2018) to nos. 10 and 12 Ferdinand Street and no. 2 Ferdinand Place was considered acceptable. The southern elevation of the proposed new building would be similar in terms of its height and position as this approved scheme. The separation distances between the new flats and the neighbouring residential properties would have a satisfactory relationship in terms of privacy and outlook of the new residential flats.

Access and inclusive design:

Revised drawings have been received during the course of the application showing that 8 of the 9 units would be designed to be wheelchair accessible and adaptable units in accordance with the Building Regulation requirement part M4(2), which equates to 90% of the market units, and a 1 bed flat on the first floor (flat B3) would be a specific wheelchair user unit in accordance with part M4(3) which equates to 10%. Following further discussions with the applicant, more detailed plans were submitted to demonstrate how the scheme has integrated accessibility into the residential layouts of the wheelchair accessible and adaptable units. These are considered satisfactory. The provision of accessible and adaptable dwellings and one wheelchair user dwelling would be secured by conditions.

3 Reasons (contd)-

Refuse and recycling:

Refuse storage would be provided at ground floor level within the building and would be accessed from an automated gate from Ferdinand Place. The commercial and residential refuse bins would be provided in the same location and would include general waste, recycling and food waste bins. The proposal would meet the requirements and would be considered acceptable. A condition would ensure the refuse and recycling store would be provided prior to the occupation of the building.

Affordable housing:

A comment was received from a local resident stating that the proposal does not include any affordable housing. Policy H4 seeks to resist the splitting of sites to ensure that the appropriate level of housing contribution is secured for all sites together. The scheme approved in 2018 relates to two sites that are historically linked through ownership rather than being physically linked. The approved scheme was subject to a viability assessment which was reviewed by the Council's independent auditors and it demonstrated that the development of the 2 sites together was not viable even if no affordable housing was offered. The current scheme would not generate the requirement for an on-site affordable housing contribution. On balance, it is unlikely that a claim could be sustained that development of this site is related to development of the other site at 4, 6, and 8 Ferdinand Place to secure a linked affordable housing contribution in the event that the remaining site is developed in the future.

Policy H4 seeks to maximise the supply of affordable housing and has a sliding scale target that requires an additional 2% affordable housing per capacity for each additional home. The uplift in residential floorspace would be 663 sq. m. The payment-in-lieu of affordable housing contribution (PIL) for this proposal is £464,100. A viability statement has been submitted in support of the application which advises that the scheme is unviable for any payment. The statement has been reviewed by the Council's independent assessors who have raised concerns about certain assumptions that have been made in the financial viability report. Despite this, the applicant has agreed to pay the policy-compliant PIL. This would be secured by a legal agreement which the applicant has agreed to.

DESIGN

No. 1 Ferdinand Place is an attractive early 20th century brick building which formerly served as a veterinary surgery, but is not locally listed or otherwise protected. Its demolition has already been established in principle by the previous planning permission. Therefore there would continue to be no objection to the loss of the building subject to its replacement with a building of appropriate character and high quality design. A condition was secured as part of the previous permission requiring a strategy for salvage and appropriate reuse or disposal of demolished materials, including bricks but also the white painted relief plaques set into the walls. A condition would still be considered necessary to secure this as part of any planning permission.

4 Reasons (contd)-

The footprint, height, bulk and mass of the new building would be similar to the previous scheme approved in 2018. It would mainly follow the height of the neighbouring properties at nos. 10 and 12 Ferdinand Street which are four full storeys, whilst no. 2 Ferdinand Place is also four storeys, albeit with the top floor set back. The proposed 4 storey replacement building with set back top storey would reflect the existing scale and massing of buildings around Ferdinand Place. There are balconies set within the frame of the building which helps to soften the greater height and enclosure of the proposal within the quieter area of the Place. The proposed height and mass is considered acceptable. The elevations of the building will be brick with simple regular fenestration and a feature soldier course at roof level. The materiality will

integrate the building more closely with the larger prevailing 20th century red-brick buildings of the surroundings.

The main change to the height and bulk of the previously approved scheme relates to the additional set back top 5th floor to provide lounges for the 2 duplex maisonettes on the 4th floor plus external amenity roof terraces. The originally proposed top floor included a zinc-clad pod with a large roof terrace to the east. The design was considered to be jarring and has been revised and replaced with a brick built top floor. The top storey now reads as a comprehensive part of the development. It is set back from the facades of the floors below to ensure that it remains subordinate. The ground floor has also been revised to incorporate more solidity at the south-east corner.

The cobbled setts and granite kerb stones laid in Ferdinand Place mark the historic location of a bus depot beside the site. These finishes are local listed and would need to be carefully protected during any demolition / construction. A comment from a local resident confirmed that Ferdinand Place is still mainly Victorian cobblestones and that these should be restored by the developers. A method statement for their protection during construction and possibly their repair was secured by condition in the extant planning permission and it is considered appropriate to secure these works through the attachment of a condition as part of this application.

5 Reasons (contd)- AMENITY

The proposal would not result in additional overlooking, loss of sunlight/daylight or outlook than the previous permission. That previous application included a daylight and sunlight assessment that was extensively scrutinised both by an independent firm of surveyors specialising in daylight and sunlight issues for the Council and by the Planning Committee. When comparing the previous planning permission to the new scheme, the overall size and mass of the building would be similar. The main difference would be the addition of a fifth floor. This top storey would be set away 7.5m from the rear boundary of the site and 15m from the window openings in the rear elevation of no. 12 Ferdinand Street. The top floor would be set away 2.7m from the roof edge of the building facing south across to 2 Ferdinand Place and 12m from the windows in the top floor of this building.

Daylight/sunlight:

A daylight and sunlight assessment has been submitted which demonstrates that the Vertical Sky Component (VSC) levels remain mainly unchanged between the extant scheme and the proposed scheme. Two of the 12 windows at third floor level in the rear of no. 12 Ferdinand Street would experience a negligible reduction in VSC values; however, they would still fall within acceptable BRE levels and would be considered acceptable. The relationship with no. 2 Ferdinand Place would remain larger unaltered between the current proposal and the extant scheme apart from the introduction of the top fifth floor. This part of the development would meet the 45 degree line from the top floor windows of no. 2 Ferdinand Place and would therefore be considered to have an acceptable relationship with these properties in terms of daylight and sunlight.

No. 10 Ferdinand Street abuts the development site and has corner windows that front onto Ferdinand Place. The primary window would remain unobscured by the proposal. The proposed building would be set away from the secondary window of the corner window by 2.5m. It would not experience a significant reduction in daylight.

Privacy:

One comment was received from a local resident regarding overlooking of private residences. The newly introduced fifth floor would be arranged in an appropriate way to ensure the new development would not overlook the neighbouring properties to an unreasonable degree and the form of the development is such that it would minimise its impact upon daylight and sunlight as per the submitted Sunlight and Daylight Report.

6 Reasons (contd)-

The western elevation of the new building would face the rear facades of nos. 10 and 12 Ferdinand Street. No windows, other than staircase windows, would directly face opposing windows; the windows on the new top floor roof terraces and 1st floor rear balcony would have privacy screens to prevent any direct overlooking to habitable rooms- these would be secured by condition.

New balconies / roof terraces would be introduced to the rear at first floor level and at fifth floor level and new internal balconies on the front and side elevations of the building fronting onto Ferdinand Place. The rear balcony at first floor level would not overlook neighbouring properties as it would be screened by the rear elevation of no. 12 and would include a privacy screen on its south side. The 2 roof terraces at 4th floor would be set away from the main facades of the building by 7.5m from 2 Ferdinand Place and 15m from 12 Ferdinand Street; these distances are less than the minimum 18m distance required to maintain privacy. It is considered that 1.8m high privacy screens will be required to the terraces' west sides facing 12 Ferdinand Street, which would be secured by condition.

The relationship between no. 2 Ferdinand Place and the site are similar to typical relationships between properties that face each other across the street. Thus the proposed roof terrace facing south across to no.2 is considered acceptable in this context and a privacy screen along this edge would be an unreasonable requirement. The internal balconies fronting onto Ferdinand Place have been designed to sit within the overall form of the new building. The columns of the building would provide some screening between the newly created flats and the properties in 2 Ferdinand Place. The proposal would be similar to the previously approved scheme and would not create any additional harmful overlooking to neighbouring properties.

In order to ensure that there would be no additional overlooking from areas of flat roofs to the rear of the building that are not identified as roof terraces, a condition would be attached requiring all other areas of flat roof to be accessed for maintenance purposes only.

Outlook:

The overall size and mass of the building would remain the same as the extant planning permission. The new 4th floor would increase the height of the

building by 2.2m but would be set away from the side and rear elevations of the new building by approximately 12m and 15.5m respectively. Given its separation distance from neighbouring properties particularly those at no. 12 Ferdinand Street and no. 2 Ferdinand Place, the proposal would not be considered to result in any further harmful loss of outlook to the windows that serve the rooms of the flats within these buildings.

7 Reasons (contd)-

Noise:

The proposals include the installation of air-conditioning units with enclosures to serve the ground floor offices. The details of the plant are not known at this stage and would only come forward once the occupier of the commercial space has confirmed their requirements. A noise report has been submitted with the application. The nearest noise sensitive façade to the plant enclosures are the new residential units and properties at the rear at nos. 10 and 12 Ferdinand Street. Officers are satisfied that the proposed plant would not exceed Camden's noise standards. Nevertheless, a condition would be attached to ensure compliance with this criteria.

Balconies and roof terraces are proposed for each of the flats. They would not exceed a size of 17 sq. m with the majority of balconies providing 7 sq. m of private amenity space. Due to the size of the balconies and roof terraces, it is not considered that a harmful level of noise or disturbance would be created by their use.

Site contamination:

Due to the historic land use activities on and off site there is a moderate to high risk of contamination on site. An asbestos report was submitted during the course of the application. The Council's Environmental Health officer (Pollution) has advised that the findings in the report are considered acceptable and a condition would be attached to ensure that the works are carried out in accordance with the report. A condition would also be required to secure the details at each stage of the development to address the risk associated with site contamination.

Air quality:

An air quality assessment has been submitted in support of the application. The proposal includes the installation of gas boilers for the new residential flats. The Council would prefer non-combustion heating in this area of poor air quality. However the applicant has demonstrated that the proposal would meet the minimum carbon reduction requirements for this scale of development - 19% overall carbon reduction and 20% renewable - and will put in low NO_x boilers. As there are no identified air quality issues from the proposals, the Council will reluctantly agree to the installation of gas boilers. The Council's sustainability officer has reviewed the information and has confirmed that a condition should be attached to secure the installation of low NO_x boilers (NO_x emissions of <40 mg/m³ and an energy efficiency rating >90%).

Due to the extent of demolition proposed the construction impact is identified as medium for dust; however mitigation measures does not include the requirement for at least 2 real time dust monitors. It would be necessary to secure on-site monitoring for dust and emissions during construction and

demolition for the development prior to works commencing on site. A condition would be attached to secure the submission of these details. Mechanical ventilation would be provided to maintain air quality. No details have been provided of the locations of the air inlets. A condition would be required to secure these details.

8 Reasons (contd)-

ENERGY & SUSTAINABILITY

The applicant has submitted an energy and sustainability statement outlining energy efficiency measures and renewable technologies proposed as part of the development (Be Lean). The proposal would include 18 PV panels on the flat roof. The proposed PV system would allow a reduction in regulated CO2 emissions which meets the 20% target required by the 'Be Green' stage. If planning permission is granted, it would be subject to a condition requiring details plans showing the location and extent of photovoltaic cells to be installed on the building. The wider energy measures would also be secured by s106 legal agreement.

A sedum green roof would be proposed for available sections of the roof of the building. This is welcomed; however the applicant should consider committing to a more sustainable alternative where feasible and a hybrid green/ blue roof feasibility study would be required to be submitted. A condition would be attached requiring a feasibility study to be undertaken to explore this option.

Water use will be reduced by a maximum of 105 litres per person per day through the use of low flow equipment which meets the standards set out in Policy CC3. Water meters will be provided and would be monitored remotely. A condition would be attached to secure this.

LANDSCAPING

No trees are proposed for removal in order to facilitate development; however pruning of the overhanging branches of a neighbouring Category C cherry tree back to the boundary is required. The Council's Tree officer has reviewed the information and confirmed that the details are satisfactory subject to securing a condition to ensure that the tree protection measures to protect both the cherry tree and the maple tree are installed prior to commencement of development in line with the details in the approved tree report.

Due to the nature of the works and demolition proposed, an ecology impact assessment has been submitted in support of the application. A roost survey for bats was undertaken and recorded a likely absence of roosting bats within the building. In order to compensate for the loss of a suitable nesting habitat the proposal includes the installation of bird and bat boxes. Details of the bird and bat boxes would be secured by condition. The flat roofs of the building would include the installation of green roofs. This is welcomed and the details would be secured by condition.

9 Reasons (contd)-

TRANSPORT

Car parking:

All residential units would be secured as car-free by section 106 legal agreement, noting that the future occupiers will be unable to obtain on-street

parking permits from the Council.

Cycle parking:

Following negotiations and revisions to the cycle parking area and its accessibility, the ground floor cycle parking area would be considered acceptable. The development would provide 18 residential long-stay cycle parking spaces, 4 commercial long-stay and 3 combined short-stay spaces. One adaptive long-stay cycle parking space would be created under the staircase where there is greatest height available. The provision of all the 26 cycle spaces would be secured by condition. The applicant has confirmed that the non-standard space will be clearly signposted and / or identified with ground markings and the applicant would be reminded of this in an informative. It has also been confirmed that the external gate to the cycle parking area will be automated.

Construction Management Plan (CMP):

Due to the site constraints and the amount of demolition and construction works, a CMP would be secured to minimize the impact on the highway infrastructure and neighbouring community. A CMP, CMP Implementation Support contribution of £3,136 and a Construction Impact Bond of £7,500 would be secured by section 106 legal agreement in accordance with Policy A1.

Highways works:

The footway directly adjacent to the site is likely to sustain damage because of the proposed demolition and construction works. There would be a requirement to remove the two existing crossovers on each side of the site. A highways contribution would be secured as a section 106 legal agreement if planning permission is granted. This would allow the Council to repave the footway directly adjacent to the site and repair any other damage to the public highway in the general vicinity of the site.

As the proposal is for a new building, a s106 legal agreement securing level plans would be required to ensure the building appropriately relates to the surrounding streets.

One objection and one comment have been received prior to making this decision. These and the planning history of the site have been taken into account when coming to this decision.

As such, the proposed development is in general accordance with policies H1, H4, H6, H7, C5, C6, E1, E2, A1, A2, A3, A4, CC1, CC2, CC3, CC4, CC5, D1, D2, T1 and T2 of the London Borough of Camden Local Plan 2017. The proposed development also accords with policies of the London Plan 2021 and the National Planning Policy Framework 2021.

- 10 You are advised the developer and appointed / potential contractors should take the Council's guidance on Construction Management Plans (CMP) into consideration prior to finalising work programmes and must submit the plan using the Council's CMP pro-forma; this is available on the Council's website at <https://beta.camden.gov.uk/web/guest/construction-management-plans> or contact the Council's Planning Obligations Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444). No

development works can start on site until the CMP obligation has been discharged by the Council and failure to supply the relevant information may mean the council cannot accept the submission as valid, causing delays to scheme implementation. Sufficient time should be afforded in work plans to allow for public liaison, revisions of CMPs and approval by the Council.

- 11 You are advised that the Transport Strategy Team should be consulted regarding the construction of the crossover on the public highway and any other work to, under, or over, the public highway, including vaults and thresholds. tel: 020-7974 5543 for further advice and information.
- 12 This approval does not authorise the use of the public highway. Any requirement to use the public highway, such as for hoardings, temporary road closures and suspension of parking bays, will be subject to approval of relevant licence from the Council's Streetworks Authorisations & Compliance Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No 020 7974 4444). Licences and authorisations need to be sought in advance of proposed works. Where development is subject to a Construction Management Plan (through a requirement in a S106 agreement), no licence or authorisation will be granted until the Construction Management Plan is approved by the Council.
- 13 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (tel: 020-7974 6941).
- 14 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.
- 15 You are advised that the appropriate standards for tree work are set out in BS 3998: 2010. Failure to ensure that the proposed works are carried out to these standards may result in damage to the tree(s) and may result in legal action by the Council.
- 16 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website (search for 'Camden Minimum Requirements' at www.camden.gov.uk) or contact the Council's Noise and Licensing Enforcement Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444)

Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You must secure the approval of the Council's Noise and Licensing Enforcement Team prior to undertaking such activities outside these hours.

- 17 You are reminded that filled refuse sacks shall not be deposited on the public footpath, or forecourt area until within half an hour of usual collection times. For further information please contact the Council's Environment Services (Rubbish Collection) on 020 7974 6914/5. or on the website <http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-street-environment-services.en>.
- 18 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.
- 19 You are advised that Section 44 of the Deregulation Act 2015 [which amended the Greater London Council (General Powers) Act 1973)] only permits short term letting of residential premises in London for up to 90 days per calendar year. The person who provides the accommodation must be liable for council tax in respect of the premises, ensuring that the relaxation applies to residential, and not commercial, premises.
- 20 Your attention is drawn to the fact that there is a separate legal agreement with the Council which relates to the development for which this permission is granted. Information/drawings relating to the discharge of matters covered by the Heads of Terms of the legal agreement should be marked for the attention of the Planning Obligations Officer, Sites Team, Camden Town Hall, Argyle Street, WC1H 8EQ.
- 21 The correct street number or number and name must be displayed permanently on the premises in accordance with regulations made under Section 12 of the London Building (Amendments) Act 1939.
- 22 The applicant is reminded that the non-standard cycle parking space must be clearly signposted and / or identified with ground markings denoting it is for non-standard cycles.
- 23 Mitigation measures to control construction-related air quality impacts should be secured within the Construction Management Plan as per the standard CMP Pro-Forma. The applicant will be required to complete the checklist and demonstrate that all mitigation measures relevant to the level of identified risk are being included.
- 24 The sliding doors to the cycle store, office and the external gate into the refuse / cycle store area must be automated.
- 25 This proposal may be liable for the Mayor of London's Community Infrastructure Levy (CIL) and the Camden CIL. Both CILs are collected by Camden Council after a liable scheme has started, and could be subject to surcharges for failure to assume liability or submit a commencement notice PRIOR to commencement. We issue formal CIL liability notices setting out how much you may have to pay once a liable party has been established. CIL payments will be subject to indexation in line with construction costs index. You

can visit our planning website at www.camden.gov.uk/cil for more information, including guidance on your liability, charges, how to pay and who to contact for more advice. Camden adopted new CIL rates in October 2020 which can be viewed at the above link.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2021.

You can find advice about your rights of appeal at:

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

Yours faithfully

A handwritten signature in black ink, appearing to read 'DPope', is written over a light grey rectangular background.

Daniel Pope
Chief Planning Officer