

<b>Address:</b>	62a Haverstock Hill & 201 Prince of Wales Road London NW3 2BH		<b>4</b>
<b>Application Number:</b>	2015/1381/P	<b>Officer: Rob Tulloch</b>	
<b>Ward:</b>	Haverstock		
<b>Date Received:</b>	09/03/2015		
<b>Proposal: Demolition of existing buildings and erection of 1-3 storey, plus basement, building comprising 3x flats.</b>			
<b>Background Papers, Supporting Documents and Drawing Numbers</b> Site Location Plan 126_X_10_01 Rev P4; 126_X_10_21 Rev P4; 126_X_22_01 Rev P4; 126_X_23_01 Rev P4; 126_X_24_01 Rev P4; 126_X_32_01 Rev P4; 126_X_33_01 Rev P4; 126_X_34_01 Rev P4; 126_X_36_01 Rev 4; 126_X_41_01 Rev P4; 126_X_41_21 Rev P4; 126_X_42_01 Rev P4; 126_X_42_21 Rev P4; 126_P_10_01 Rev P8; 126_P_21_01 Rev P8; 126_P_22_01 Rev P9; 126_P_23_01 Rev P9; 126_P_24_01 Rev P9; 126_P_25_01 Rev P9; 126_P_31_01 Rev P9; 126_P_32_01 Rev P8; 126_P_33_01 Rev P9; 126_P_34_01 Rev P9; 126_P_35_01 Rev P8; 126_P_41_01 Rev P8; 126_P_41_21 Rev P8; 126_P_42_01 Rev P8; 126_P_42_21 Rev P8; 126_P_43_01 Rev P1; 126_P_44_01 Rev P1; Design and Access Statement by Carmody Groarke dated February 2015; Planning Statement by DP9 dated February 2015; Daylight & Sunlight Report by GIA dated 29 <sup>th</sup> April 2015; Draft Construction Management Plan dated 29 <sup>th</sup> May 2015; Basement Impact Assessment by GEA dated January 2015; Flood Risk Assessment by Evans River and Coastal dated January 2015; Construction Method Statement by Price and Myers dated December 2014			
<b>RECOMMENDATION SUMMARY: Grant Conditional Planning Permission Subject to a s106 Legal Agreement</b>			
<b>Applicant:</b>		<b>Agent:</b>	
c/o Agent		DP9 Ltd 100 Pall Mall London SW1Y 5NQ	

## ANALYSIS INFORMATION

Land Use Details:			
	Use Class	Use Description	Floorspace
Existing	A2 Financial and Professional C3 Dwelling House		255m <sup>2</sup>
Proposed	C3 Dwelling House		326m <sup>2</sup>

**Residential Use Details:**

	Residential Type	No. of Bedrooms per Unit								
		1	2	3	4	5	6	7	8	9+
Existing	<i>Flat/Maisonette</i>									
Proposed	<i>Flat/Maisonette</i>	1	2							

## **OFFICERS' REPORT**

**Reason for Referral to Committee:**     **The development involves the making of an obligation or agreement under Section 106 of the Town and Country Planning Act 1990 which cannot be authorised under delegated powers [Clause 3(vi)]**

### **1.     SITE**

- 1.1     The site comprises a group of two storey buildings at the junction of Haverstock Hill and Prince of Wales Road. The buildings were previously in commercial use on the ground floor with residential above, but have been vacant since 2006 and are semi derelict.
- 1.2     The site is not within a conservation area but adjacent to the Parkhill Conservation Area. The surrounding area is residential in nature comprising terraced housing and larger purpose built flats, but also includes the 19<sup>th</sup> century Hampstead Seventh-Day Adventist Church (not listed) immediately to the north-west and Haverstock School to the south-east.

### **2.     THE PROPOSAL**

#### **Original**

- 2.1     The erection of a one to three storey plus basement building comprising 3x flats following the demolition of the existing building.

#### **Revision**

- 2.2     The daylight/sunlight report was revised following concerns from officers and neighbours, and a draft construction management plan was submitted.

### **3.     RELEVANT HISTORY**

#### **3.1     Planning History**

9401384 62A Haverstock Hill Alterations to existing ground floor windows and door.

8602456 62 Haverstock Hill Change of use including works of conversion to provide four self-contained flats

9401384 Alterations to existing ground floor windows and door. Granted 21/10/1994

2008/0554/P 62 - 62a Haverstock Hill & 201 Prince of Wales Road Demolition of existing single and two storey building (Class A2) and construction of a four and five storey residential building (Class C3) to create nine self-contained flats (6 x 1 bedroom, 3 x 2 bedroom). Withdrawn

### 3.2 Enforcement History

EN12/0312 Since becoming vacant, the buildings have fallen into a state of disrepair as a result of neglect and attempts to secure the building from squatters. Due to the prominent location of the building, such dereliction was considered to have a detrimental impact on the visual amenity of the area as well as the character and appearance of the adjoining Parkhill Conservation Area. As such, the Council's planning enforcement team considered it expedient to issue a Section 215 Notice to require the owner to undertake certain works of improvement including, among other things, removal of all plants, vegetation and foliage from the building and repair any damage they caused; repainting the building, removal of the metal mesh fencing from the exterior of all windows and metal sheets from the interior of the windows; replacement of all broken window panes; removal of a redundant neon sign on the façade facing Prince of Wales Road; repainting the roller shutters; and cleaning the street name tile on the Haverstock Hill elevation. The works were carried out and the Section 215 notice deemed to have been complied with on 26<sup>th</sup> November 2014.

### 3.3 Compulsory Purchase

On 18<sup>th</sup> March 2014 it was agreed in principle to purchase the site through the making of a compulsory purchase order (CPO). The applicant was given the opportunity to submit a planning application to redevelop the site with the caveats that if an application was not forthcoming, or if permission were granted and such permission were not implemented in accordance with a strict timetable, the Council would proceed with the compulsory purchase order.

## 4. **CONSULTATIONS**

### **Statutory Consultees**

4.1 N/a

### **Conservation Area Advisory Committee**

4.2 Although the site is not within a conservation area, it is adjacent to Parkhill conservation area. Parkhill CAAC were notified, but did not respond

### **Local Groups**

4.3 n/a

### **Adjoining Occupiers**

<i>Number of letters sent</i>	28
<i>Total number of responses received</i>	4
<i>Number in support</i>	0
<i>Number of objections</i>	4

- 4.4 A site notice was displayed from 18/03/2015 to 08/04/2015. Objections were received from the top floor and 1<sup>st</sup> floor flats of 62 Haverstock Hill and nos. 199 & 200 Prince of Wales Road on the following grounds

#### Design

- It is not clear how the building will actually look once built, accordingly, its amenity and interaction with the neighbouring properties cannot be effectively determined.
- Lack of detail regarding materials, colour scheme, render etc. to ensure it blends in to the locale.
- The volume and height of the proposed development is much greater than existing, the proposed development will completely dwarf 200 Prince of Wales road, which incidentally is not a Surgery as written on the plans but a private dwelling.
- A bulky collection of Lego style boxes which bear no resemblance at all to the adjacent Victorian buildings.
- The type of finish or render to the proposed development looks grey and not very appealing.

#### Amenity

- No reference to window which provides light to the staircase within top floor flat the proposal sees the development built right up to the same height as no. 62 Haverstock Hill and the impact on the light to a second floor window facing the site, is extremely significant.
- A loss of VSC of 49.59% to a room with 2x windows would reduce light to 25% which is a significant loss
- The windows impacted by the proposed development are not "*at the rear of the property*", they are the only windows located with views up Haverstock Hill and are the only windows which take advantage (and enjoy the pleasing aspect) of the corner position
- The top floor contains 1 bedroom plus a balcony and is unnecessary for the development
- Proposed Development will be built right up to a series of 4 windows bringing natural light into the kitchen and living room (2<sup>nd</sup> f) as well as providing views directly up Haverstock Hill.
- No reference to the flank windows of no. 62 Haverstock Hill in the daylight/sunlight report
- No reference to balcony or door from living room at rear of 200 Prince of Wales Road
- The development will be built directly up to the 1<sup>st</sup> floor of 62 Haverstock Hill effectively "bricking up" the windows, harming outlook and preventing access to them for cleaning and repairs
- Squatters frequently held parties on the roof which allowed them direct line of sight from very close proximity into living rooms and kitchens, the proposed terrace would continue this

#### Structural stability

- The perilous state of 201 Prince of Wales road had caused major structural damage to 62 Haverstock Hill, as it was effectively pulling the 2 properties apart leading to a visible gapping between the two buildings

#### Loss of value

- Proposed development may lead to a loss in value to our property in the region of 5%. In particular as it is currently tenanted there will likely be a material loss of value for the duration of the construction works (of unspecified duration) and an ongoing loss of rental and capital value due to the potential loss of amenity.

#### Party Wall

- Despite the Council making it clear to the applicant that a party wall agreement would be required, no approach has been made

(the above points are addressed in the relevant section of the report, however property values and party wall matters are not material considerations)

## 5. **POLICIES**

### 5.1 **LDF Core Strategy and Development Policies**

CS5 Managing the impact of growth and development  
 CS6 Providing quality homes  
 CS8 Promoting a successful and inclusive Camden economy  
 CS11 Promoting sustainable and efficient travel  
 CS13 Tackling climate change and promoting higher environmental standards  
 CS14 Promoting high quality places and conserving our heritage  
 CS19 Delivering and monitoring the Core Strategy

DP2 Making full use of Camden's capacity for housing  
 DP5 Homes of different sizes  
 DP6 Lifetime homes and wheelchair housing  
 DP13 Employment sites and premises  
 DP16 The transport implications of development  
 DP17 Walking, cycling and public transport  
 DP18 Parking standards and limiting the availability of car parking  
 DP19 Managing the impact of parking  
 DP20 Movement of goods and materials  
 DP21 Development connecting to the highway network  
 DP22 Promoting sustainable design and construction  
 DP23 Water  
 DP24 Securing high quality design  
 DP25 Conserving Camden's heritage  
 DP26 Managing the impact of development on occupiers and neighbours  
 DP27 Basements and lightwells  
 DP32 Air quality and Camden's clear zone

### 5.2 **Supplementary Planning Policies**

Camden Planning Guidance 2013

### 5.3 **Other Policies**

The London Plan March 2015, consolidated with alterations since 2011  
National Planning Policy Framework 2012  
National Planning Policy Guidance 2014

## 6. **ASSESSMENT**

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

- Land use
- Design
- Heritage impact
- Residential development standards
- Amenity
- Basement impact
- Transport
- Sustainability
- Compulsory Purchase
- Community Infrastructure Levy

### **Land use**

#### Loss of Employment Floorspace

6.2 The limited planning history suggests that the most recent use of the ground floor was as a solicitors' office (Class A2). However this use ceased approximately 10 years ago. As the site is outside a designated area, and there is no protection for A2 uses, the loss of the commercial unit is acceptable. Furthermore, there is an extant permission for demolition.

#### Housing

6.3 Housing is the priority of the LDF and the provision of new residential accommodation is considered to comply with policy DP2 (Making full use of Camden's capacity for housing).

#### Mix of units

6.4 Policy DP5 (Housing size mix) states that all new residential development should provide a mix of units. The proposal is for 3x flats (2x 2-beds and 1x 1-bed). 2-bedroom market homes are high priority, and the provision exceeds the Council's expectation of at least 40% of market homes to contain 2-bedrooms. Due to the limited number of units proposed the mix is considered appropriate for the site.

### **Design**

#### Demolition

- 6.5 As mentioned above, the building could be demolished at any time under prior approval. The site is outside a conservation area and therefore there is no statutory provision to protect the buildings on the site. The buildings are also in a poor state of repair and would benefit from what is likely to involve substantial refurbishment or redevelopment. Furthermore, Camden has recently adopted its local list and the subject site was not designated as a heritage asset. As such any proposal to demolish the building is considered to be acceptable subject to suitable replacement development.

#### Redevelopment

- 6.6 The site terminates two groups of residential dwellings and is somewhat constrained due to the need to prevent harm to the living standards of adjoining occupiers and not to compete with the church and its Conservation Area setting on the other side of the junction.
- 6.7 It is considered that the proposed design has carefully considered the site and its context and sought to design a high quality brick building which is modulated to form polychromatic blocks of varying height which address their streetscape function. The broad architectural concept is considered to be correct in this regard. The architectural detailing, including size and position of window openings; and building line to Haverstock Hill have been given careful consideration.

#### Height and scale

- 6.8 The building line responds to the existing built form along the streets with a projecting lower level frontage and then a building line which continues the existing established building line along Haverstock Hill. Along Prince of Wales Road the development replaces what exists with the front building line springing from the building edge.
- 6.9 The height across the site varies to appropriately address the context. The scheme steps down away from Haverstock Hill to align with the scale of volumes typical along the terrace of which it forms a part. The main block responds to the eaves/parapet height and position of the dwellings along Haverstock Hill, stepping up slightly in height from the neighbour to the south to address the topography of the land.
- 6.10 The lower volume along Prince of Wales Road is typical of the scale and height of 'rear extensions' to the terrace and as such would not feel out of place when viewed from the north or on Prince of Wales Road. The rear most section of accommodation forms the 'flank wall' of the junction plot and matches the additional extension on Prince of Wales Road which is again typical of the terrace of which it forms a part and would not look out of place.

#### Detailed design

- 6.11 The overall design provides for a high quality contemporary approach allowing the varied floor positions and volumes to provide the basis for the window openings. The size of the openings relates to the function of the space and the overall result is

a visual appearance which provides interest through its fenestration pattern. The window detailing forms a key part of the quality of the overall design with angled and deeply recessed openings accentuating the visual interest, and providing depth and shadow to the facades.

- 6.12 The success of the development is also considered to depend on the appropriate use of high quality materials and their finished appearance. The building will be finished in brick to appropriately match the existing adjoining townscape. The quality and finished appearance will be dealt with by way of condition.

### **Residential development standards**

- 6.13 The proposal comprises three maisonettes. The overall floorspace sizes and bedroom size comply with the Council's residential development standards and those of the London Plan. The units would have acceptable levels of daylight, sunlight and outlook. All the units would benefit from external amenity space, flat A would have courtyards at basement and ground floor levels, flat B would benefit from a roof terrace, and flat C would have a basement courtyard and first floor terrace. Each unit would have its own external store for waste and recyclable materials located adjacent to the main entrances to the properties
- 6.14 The applicant has submitted a Lifetime Homes Statement which indicates that the dwellings would comply with the relevant standards in line with Policy DP6 (Lifetimes homes and wheelchair housing).
- 6.15 Due to the site's location at the junction of two busy roads, an air quality assessment was requested. The predicted pollutant concentrations have been compared with the air quality objectives and the results indicate that annual mean NO<sub>2</sub> concentrations are likely to be above the EU objective of 40 µg/m<sup>3</sup> at the receptors near the A502 (Haverstock Hill Road), but decline with distance from the busy road. Concentrations of PM<sub>10</sub> are however, predicted to be within both the annual mean and daily mean objective levels.
- 6.16 The assessment recommends mechanical ventilation to extract air from the roof top and circulate to the rooms facing Haverstock Hill and at the corner with Prince of Wales Road, details of which will be secured by condition. It also states that the developer will consider the implementation of appropriate travel and building management plans, as well as following the available guidance in terms of construction phase air quality impact mitigation.
- 6.17 A full dust risk assessment, carried out in accordance with the Mayor's guidance, will be secured as part of the construction management plan. This will include a full list of proposed mitigation measures to minimise dust impacts.

### **Amenity**

- 6.18 The existing buildings sit on the corner of Prince of Wales Road and Haverstock Hill. The buildings are two storeys high with a parapet height of 6.3-6.6m. The existing buildings abut no. 62 Haverstock Hill to the south, which is a four storey semi-detached property divided into flats. To the east, the building is separated

from no. 200 Prince of Wales Road, a two storey (ground and basement dwelling), by a small courtyard.

### Daylight

- 6.19 The applicant has submitted a daylight/sunlight report which has assessed the impact of the proposed development on neighbouring properties in accordance with British Research Establishment (BRE) guidelines. In terms of daylight, the report considers Vertical Sky Component (VSC), which BRE guidelines advise should be at least 27%. If a development reduces the VSC to a window to below 27%, and less than 0.8 times its former value, occupants of an existing building will notice the reduction in daylight.
- 6.20 No. 62 Haverstock Hill has windows to the front and rear, as well as north west facing windows to the flank wall of a side extension at first floor level and to the main side elevation above.
- 6.21 The report indicates that the north west facing windows would be most affected with the first floor window (referred to in the report as window W4/102) being completely obscured by the new development and the window above (W3/103) suffering an approximate 50% reduction in VSC from 33.76% to 17.02%. The first floor window would not be bricked up, but would face a newly created lightwell, so outlook would be compromised. It is a window to a kitchen/ living area which also has two south west facing windows on the front elevation, one of which is already below 27% and would see a reduction to 20.14%, the other which would be minimally affected and retain a VSC in excess of 27%. BRE guidance advises that if a room has two or more windows their mean VSC can be taken, therefore the two front windows would have mean VSC of 26.12% which is only just under the BRE guideline of 27%, nevertheless the room would retain adequate daylight by virtue of having a window (W2/102) with a VSC in excess of 27% (32.09%).
- 6.22 The second floor north west facing window (W3/103) would suffer a 50% loss, this is a window to a living room which also has a south west facing window which would not be affected by the proposal. The mean VSC to this room would be 25.045%, and again the south west facing window would retain a VSC in excess of 27% (33.07%).
- 6.23 As such, although both rooms would see a reduction of mean VSC to just under the recommended 27%, each room would retain a window that received a VSC in excess of 27% and therefore it is considered that neither room would suffer an overall reduction in daylight to be considered unacceptable in terms of the BRE guidelines.
- 6.24 Out of the remaining 22 windows surveyed, four would see a reduction of VSC of more than 20%, however none of these have an existing VSC of more than 27% as they are either at basement level or in the shadow of an existing side return. So the impact is not considered to be significant. No windows to the north elevation of no. 200 Prince of Wales would see a reduction of VSC to less than 20% of their former value.

### Sunlight

- 6.25 The site is to the north and east of the adjoining properties therefore the proposal would have a limited impact on sunlight to these dwellings. Nos. 200 Prince of Wales Road and 60 Haverstock Hill have no windows facing within 90° of due south and facing the application site and are therefore not assessed for sunlight impact. The proposal would have a minimal impact on sunlight to no. 62 Haverstock Hill, and the report indicates that no rooms would suffer a loss of sunlight (APSH) of more than 5%.

### Outlook

- 6.26 Due to the location of the site, the only windows that would suffer a loss of outlook are to no. 62 Haverstock Hill. The windows to the flank elevation at first and second floors would be obscured by the proposed development, but as mentioned in the daylight section, these are not the sole windows to the rooms they serve. Outlook from the rear of no. 62 would be slightly affected as the eastern section of the building would be 1m taller and extend 1.6m further to the east, but this impact is not considered to be significant. Views from the flank of no. 62 Haverstock Hill would be affected, but views are not specifically protected.

### Overlooking

- 6.27 Only one window is proposed for the rear of the building which would not directly face no. 62 Haverstock Hill. There would also be windows to an internal lightwell, but none of these would directly face windows to the flank of no. 62.
- 6.28 Two terraces are proposed at first floor level adjacent to no. 200 Prince of Wales Road, and at second floor level adjacent to no. 62 Haverstock Hill. Both terraces would be perpendicular to neighbouring windows and not directly face them. The eastern terrace would be 6m away from the closest window of no. 200 Prince of Wales Road, but it would be at the same level as the roof of its neighbour and only offer an extremely acute angle of view so is not considered to cause significant overlooking to neighbouring windows. The second floor terrace would be set back 1.4m from the boundary with no. 62 Haverstock which would prevent overlooking as again the angle would be too acute, a condition will ensure no other part of the roof is used as a terrace. The terraces are relatively small at 5.8sqm and 11.3sqm and their size would not be considered enough to generate unacceptable levels of noise.

### **Basement Impact**

- 6.29 The basement element of the development would extend under the whole building with a footprint of approximately 162sqm (including lightwells) and a maximum depth of 4.1m when measured externally. The site lies within areas of constraint for slope instability and surface water. Prince of Wales Road suffered a flood event in 2002.
- 6.30 In line with DP27 and CPG4 the applicant has submitted a Basement Impact Assessment and associated basement information. Damage to no.200 Prince of

Wales Road is considered to be “negligible” and “very slight” to 62 Haverstock Hill. The applicant submitted a flood risk assessment which states that although Prince of Wales Road suffered a flood event in 2002, the site itself and adjacent properties were not affected, and due to the topography of the site significant ponding or flooding of the site is not likely. The BIA concludes that the proposal is unlikely to result in any specific land or slope stability issues, or groundwater or surface water issues.

- 6.31 The BIA has been independently assessed by LBH Wembley who conclude that the proposal demonstrates sufficient detail and certainty to accord with policy DP27 and CPG4 in respect of maintaining the structural stability of the building and neighbouring properties, avoiding adverse impact on drainage and run-off, and avoiding the cumulative impacts on structural stability or the water environment.
- 6.32 LBH recommend a condition survey be undertaken given the structural distress of the existing buildings and the cracking at the rear, and a monitoring plan be presented. These would form part of the basement construction plan which will be secured as part of the section 106 agreement.

## **Transport**

### Car Parking

- 6.33 The site is located in the Camden Town: North West controlled parking zone (CA-F(nw)) and has a PTAL rating of 5 (excellent). The Council expects development to be car free in the Central London Area, town centres and other areas within Controlled Parking Zones that are easily accessible by public transport. As such the development will be secured as car free as part of the Section 106 agreement in accordance with policies CS11, CS19 DP18, DP19 and DP21.

### Cycle Parking

- 6.34 Policy DP18 requires the development to provide cycle parking facilities in accordance with the minimum requirements of Camden’s cycle parking standards. Development is also expected to accord with the minimum requirements of the London Plan. As the proposed development consists of 3x units, 6x cycle parking spaces would be required to meet the London Plan’s minimum standards.
- 6.35 The proposals would provide 3x cycle parking spaces, which does not meet the minimum requirement of the London Plan, but does meet the Council’s minimum requirements of 1 space per unit. Two of these spaces would be provided within the basement, accessed by stairs which is contrary to CPG7 (Transport), however, due to the constraints of the site resulting from its irregular footprint, the cycle provision is considered acceptable in this instance.

### Management of Construction Impacts on the Public Highway in the local area

- 6.36 The site is located at the junction of Haverstock Hill (A502) and Prince of Wales Road. The primary concern is public safety but the Council also needs to ensure

that construction traffic does not create (or add to existing) traffic congestion in the local area.

- 6.37 The applicant has submitted a draft construction management plan, the details of which are considered appropriate at this stage. A full CMP will be secured as part of the section 106 agreement in line with policies DP20 and DP21.
- 6.38 As the proposed development comprises the demolition of the existing building and the construction of a larger replacement building, the applicant is required to enter into a Section 106 agreement in respect of repaving the footway adjacent to the site in line with DP21. This will also help tie the development into the surrounding street scene. The estimate for this work is £14,038.81.
- 6.39 The applicant would also be required to submit an 'Approval In Principle' (AIP) report for assessment by the Highways Structures & Bridges Team within Engineering Services. This would include structural details and calculations to demonstrate that the proposed basement excavations would not affect the stability of the public highway adjacent to the site. This would also include an explanation of any mitigation measures which might be required. The AIP and an associated assessment fee of £3,000 will be secured part of the section 106 agreement.

### **Sustainability**

- 6.40 The design and access statement indicates that either photovoltaic panels or solar water heating systems will be located on the roof. As a minimum the proposal will have a water system with a technical performance in accordance with Approved Document Part G requirements and guidance set out in Code for Sustainable Homes. Conditions will require details of the solar panels/heaters to be approved and ensure the development will achieve a maximum internal water use of 105litres/person/day.
- 6.41 No energy statement has been submitted, but the design and access statement indicates the building has been design to reduce energy consumption. The windows are to be triple glazed to minimise noise disruption from the adjacent roads and also maximise insulation from heat loss. The windows are also designed to minimise solar gain and optimised to reduce the requirement for artificial lighting. The proposal would have, as a minimum, levels of insulation in accordance with Approved Document Part B requirements and air tightness levels in accordance with Approved Document Part L requirements. A condition will require an energy statement demonstrating how a 20% reduction in carbon dioxide emissions beyond Part L 2013 Building Regulations to be submitted to and approved in line with policies CS13 and DP22.

### **Compulsory purchase order**

- 6.42 As mentioned previously, the site has been vacant and its condition has been deteriorating for over 10 years. It has been squatted for most of the time it has been empty causing nuisance and anti-social behaviour which has generated a number of complaints and concerns from the surrounding community. The Council has endeavoured for a number of years to persuade the owner of the site to address

the problems presented by the poor condition of the site and has sought to use other means and lesser powers to achieve this as well.

- 6.43 On 18<sup>th</sup> March 2014 it was agreed in principle to purchase the site through the making of a compulsory purchase order (CPO). Whilst this is an agreement in principle, the Council also agreed to continue to discuss redevelopment of the site with the owner. As part of the agreement it was stated that if planning permission were granted for redevelopment, officers would enforce a strict timetable for progression of works. If the timetable were not being met and significant progress not being made, in relation to implementing any subsequent permission, then the Director of Culture and Environment would be asked to proceed with the CPO.
- 6.44 Officers consider that 6 months from the date of planning permission being granted is a reasonable period for the applicant to discharge any necessary pre-commencement decision and begin work. The applicant would then be required to complete the development 18 months after the grant of planning permission.
- 6.45 Such restrictions can only be controlled by way of a section 106 agreement, and the applicant has indicated their willingness to agree to such a clause and implement the development in accordance with the proposed timetable. CPO officers are working with the applicant and the Council's legal officers to finalise the start/completion timeframes.

### **Community Infrastructure Levy**

- 6.46 The proposal will be liable for the Mayor of London's CIL (326sqm x £50 = £16,300) and Camden CIL (326sqm x £500 (residential) = £163,000) as the additional floor space exceeds 100sqm GIA or one unit of residential accommodation. This will be collected by Camden after the scheme is implemented and could be subject to surcharges for failure to assume liability, for failure to submit a commencement notice and/or for late payment, and subject to indexation in line with the construction costs index. An informative will be attached advising the applicant of this charge.

## **7. CONCLUSION**

- 7.1 The site has been derelict for the last 10 years harming the appearance of the local area and to the detriment of the amenity of adjoining occupiers. The redevelopment of the site, particularly in providing new residential accommodation, is welcomed. The proposed building is considered to be of a refined design, which would enhance the character and appearance of the area and provide a high standard of accommodation for future occupiers. The development would have a limited impact on the amenity of adjoining occupiers, two windows to no. 62 Haverstock Hill would be particularly affected by loss of light and outlook, however these are not the only windows to the rooms they serve and resulting light levels to the rooms would still meet the BRE guidelines. In all other aspects the proposal is not considered to affect the amenity of adjoining occupiers. The impact of the basement has been independently assessed and will be further controlled by a basement construction

plan. A construction management plan will ensure demolition and construction do not harm the operation of the highway network.

7.2 Planning Permission is recommended subject to a S106 Legal Agreement covering the following Heads of Terms:-

- Car-free housing
- Construction management plan
- Basement construction plan
- Highways contribution of £14,038.81
- Approval in principle
- Implementation plan

## 8. **LEGAL COMMENTS**

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

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:

Site Location Plan 126\_X\_10\_01 Rev P4; 126\_X\_10\_21 Rev P4; 126\_X\_22\_01 Rev P4; 126\_X\_23\_01 Rev P4; 126\_X\_24\_01 Rev P4; 126\_X\_32\_01 Rev P4; 126\_X\_33\_01 Rev P4; 126\_X\_34\_01 Rev P4; 126\_X\_36\_01 Rev 4; 126\_X\_41\_01 Rev P4; 126\_X\_41\_21 Rev P4; 126\_X\_42\_01 Rev P4; 126\_X\_42\_21 Rev P4

126\_P\_10\_01 Rev P8; 126\_P\_21\_01 Rev P8; 126\_P\_22\_01 Rev P9; 126\_P\_23\_01 Rev P9; 126\_P\_24\_01 Rev P9; 126\_P\_25\_01 Rev P9; 126\_P\_31\_01 Rev P9; 126\_P\_32\_01 Rev P8; 126\_P\_33\_01 Rev P9; 126\_P\_34\_01 Rev P9; 126\_P\_35\_01 Rev P8; 126\_P\_41\_01 Rev P8; 126\_P\_41\_21 Rev P8; 126\_P\_42\_01 Rev P8; 126\_P\_42\_21 Rev P8; 126\_P\_43\_01 Rev P1; 126\_P\_44\_01 Rev P1;

Design and Access Statement by Carmody Groarke dated February 2015; Planning Statement by DP9 dated February 2015; Daylight & Sunlight Report by GIA dated 29th April 2015; Draft Construction Management Plan dated 29th May 2015; Basement Impact Assessment by GEA dated January 2015; Flood Risk Assessment by Evans River and Coastal dated January 2015; Construction Method Statement by Price and Myers dated December 2014.

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

- 3 Prior to commencement full details of the proposed mechanical ventilation system for each unit demonstrating that air inlet locations will be positioned away from busy roads and as close to roof level as possible should be submitted to the Local Planning Authority and approved in writing. 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 CS5 of the London Borough of Camden Local Development Framework Core Strategy and policies DP26 and DP32 of the London Borough of Camden Local Development Framework Development Policies.

- 4 The development hereby approved shall achieve a maximum internal water use of 105litres/person/day, allowing 5 litres/person/day for external water use. Prior to occupation, evidence demonstrating that this has been achieved shall be submitted to and approved by the Local Planning Authority.

Reason: To ensure the development contributes to minimising the need for further water infrastructure in an area of water stress in accordance with policies CS13 (Tackling climate change through promoting higher environmental standards), DP22 (Promoting sustainable design and construction) and DP23 (Water)

- 5 Prior to construction the development hereby approved an energy statement demonstrating how a 20% reduction in carbon dioxide emissions beyond Part L 2013 Building Regulations in line with the energy hierarchy shall be submitted to and approved in writing by the Local Planning Authority. Prior to occupation, evidence demonstrating that the approved measures have been implemented shall be submitted to and approved in writing by the Local Planning Authority and shall be retained and maintained thereafter.

Reason: To ensure the development contributes to minimising the effects of, and can adapt to a changing climate in accordance with policies CS13 (Tackling climate change through promoting higher environmental standards) and DP22 (Promoting sustainable design and construction).

- 6 Prior to first occupation of the buildings, detailed plans showing the location and extent of photovoltaic cells to be installed on the building shall have been submitted to and approved by the Local Planning Authority in writing. 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 CS13 of the London Borough of Camden Local Development Framework Core Strategy and policy DP22 of the London Borough of Camden Local Development Framework Development Policies.

- 7 Detailed drawings, or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the Council before the relevant part of the work is begun:

a) Plan, elevation and section drawings of all new doors and windows at a scale of 1:10 with including jambs, head and cill, details at a scale of 1:5.

b) Samples and manufacturer's details of new facing materials should be erected on-site and approved by the Council before the relevant parts of the work are commenced and the development shall be carried out in accordance with the approval given. The panel must include facing brickwork demonstrating the proposed colour, texture, face-bond and pointing.

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

Reason: In order to safeguard the special architectural and historic interest of the building in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policies DP24 (Securing high quality design) and DP25 (Conserving Camden's heritage) of the London Borough of Camden Local Development Framework Development Policies.

- 8 Only the area specified as a 2nd floor roof terrace on the plans hereby approved shall be used for such purposes; no other external flat roof area at second floor level shall be used as a roof terrace/balcony, and any access out onto these areas shall be for maintenance purposes only.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policy DP26 of the London Borough of Camden Local Development Framework Development Policies.

- 9 The proposed development shall not be occupied until the whole of the cycle parking provision shown on the approved drawings is provided. The whole of the cycle parking provision shall be permanently retained and maintained thereafter.

Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of policy CS11 (Promoting sustainable and efficient travel) of the London Borough of Camden Local Development Framework Core Strategy and policy DP17 (Walking, cycling and public transport) of the London Borough of Camden Local Development Framework Development Policies.

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

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 CS6 (Providing quality homes) of the London Borough of Camden Local Development Framework Core Strategy and policy DP6 (Lifetime homes and wheelchair homes) of the London Borough of Camden Local Development Framework Development Policies.

Informative(s):

- 1 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts which cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Argyle Street WC1H 8EQ, (tel: 020-7974 6941).
- 2 Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Council's Compliance and Enforcement team [Regulatory Services], Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 4444 or on the website <http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-the-environmental-health-team.en> or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.
- 3 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.
- 4 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>.
- 5 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.
- 6 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.

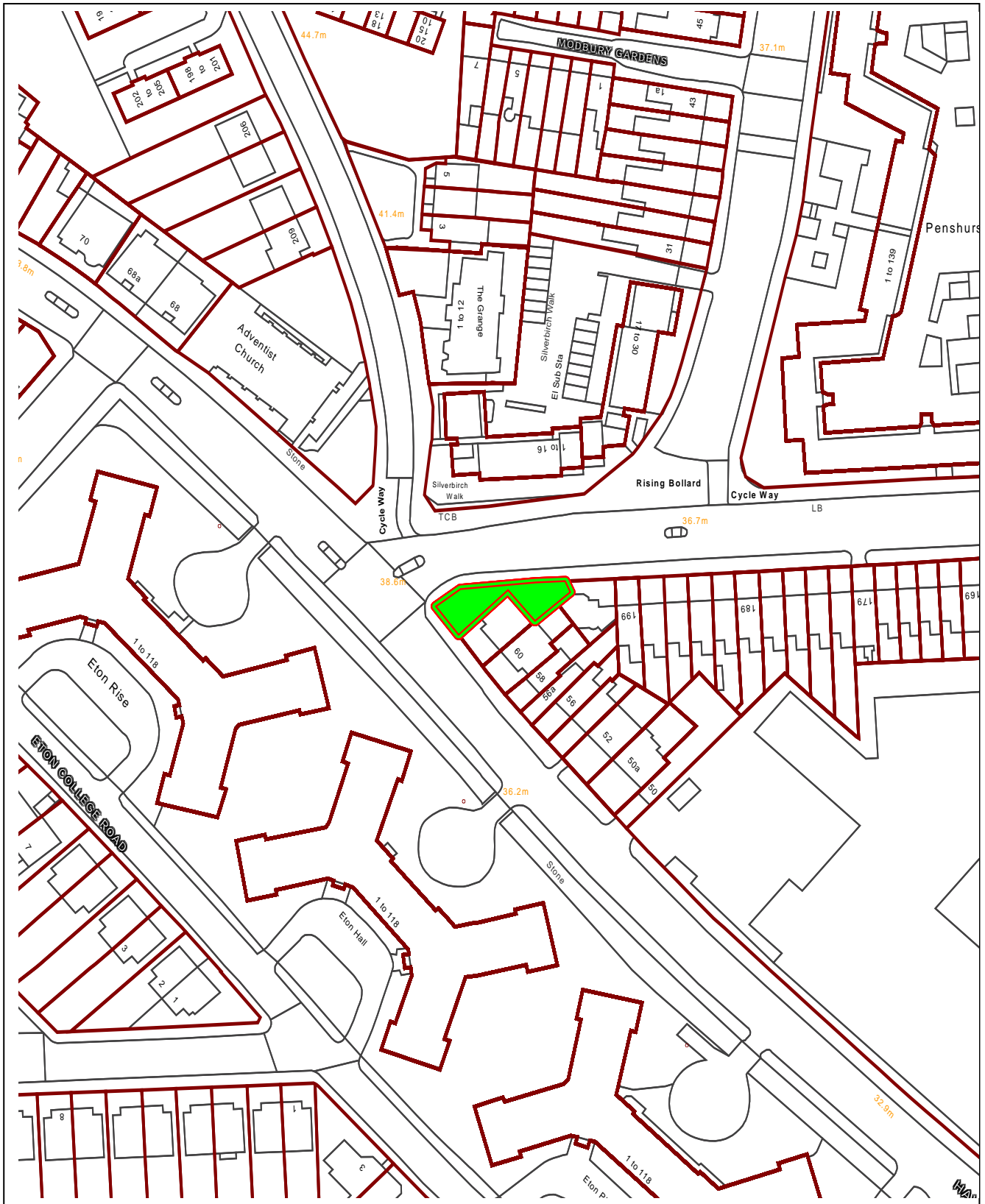
- 7 You are reminded that this decision only grants permission for permanent residential accommodation (Class C3). Any alternative use of the residential units for temporary accommodation, i.e. for periods of less than 90 days for tourist or short term lets etc, would constitute a material change of use and would require a further grant of planning permission.
- 8 The London Borough of Camden introduced the Community Infrastructure Levy (CIL) on the 1st of April 2015 to help pay for local infrastructure. This is in addition to the Mayoral CIL which helps fund the Crossrail introduced on 1st April 2012. Any permission granted after this time which adds more than 100sqm of new floorspace or a new dwelling will need to pay the CIL charge.

The proposed CIL charge will be calculated in accordance with the regulations set out in Part 5 of the Community Infrastructure Levy Regulations 2010 (as amended). For further information on the Camden CIL or Mayoral CIL charge please refer to the information on the Camden website which may be accessed via the following link: [http://www.camden.gov.uk/ccm/cms-service/stream/asset/?asset\\_id=3298006](http://www.camden.gov.uk/ccm/cms-service/stream/asset/?asset_id=3298006)

You are required to assume liability and notify the CIL team on commencement using the forms that can be downloaded from the planning portal; <http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

We will issue an assumption of liability setting out the calculation and CIL demand notice setting out the method of payment accordingly. Failure to notify Camden of the commencement of development will result in a surcharge of £2500 or 20% being added to the CIL payment. Other surcharges may also apply for failure to assume liability and late payment. Payments will also be subject to indexation in line with the construction costs index.

Please send CIL related documents or queries to [CIL@Camden.gov.uk](mailto:CIL@Camden.gov.uk)



**Application No: 2015/1381/P**

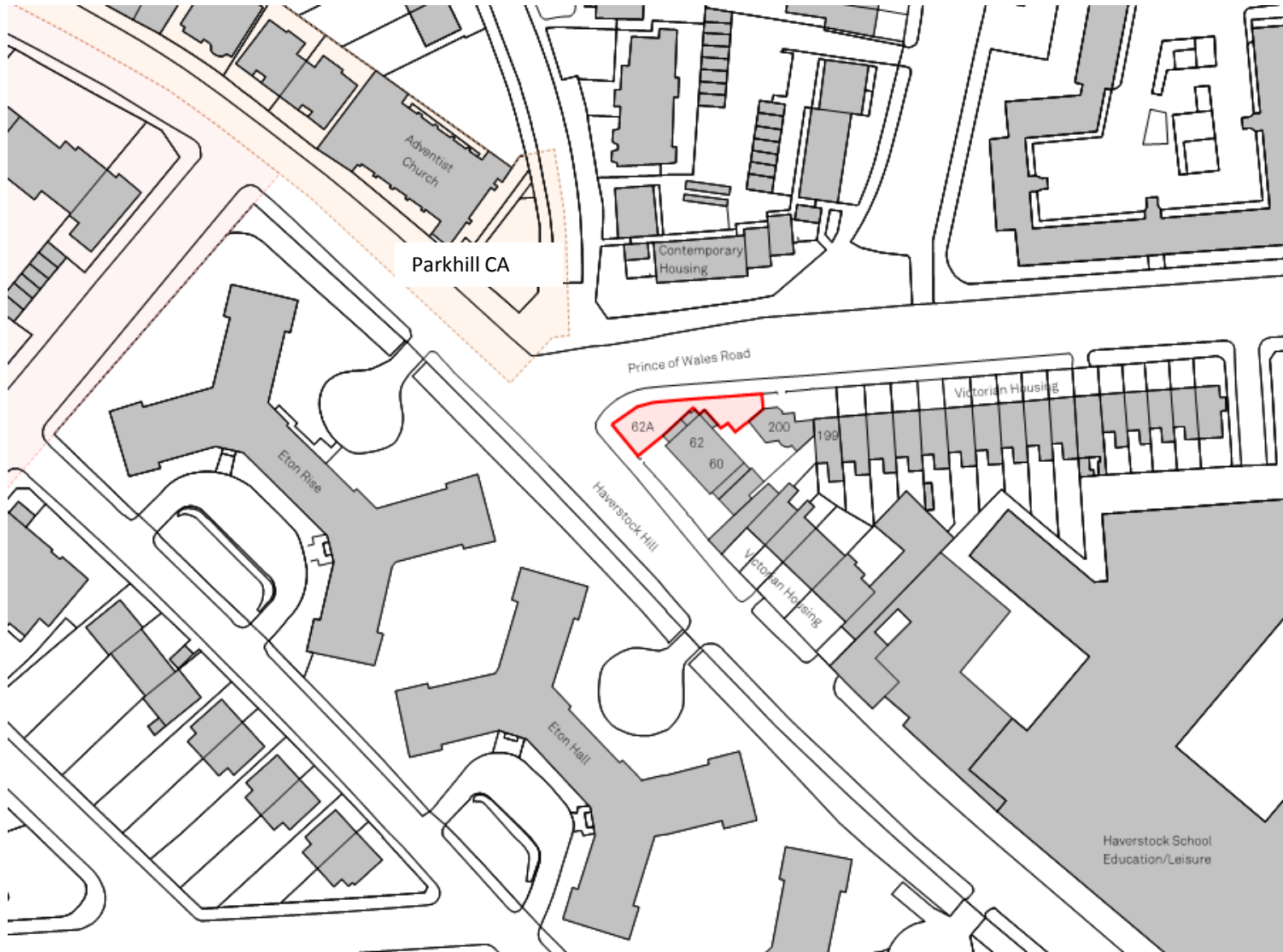
**62 Haverstock Hill & 201 Prince of Wales Road  
London  
NW3 2BH**

**Scale:  
1:1250  
Date:  
24-Jul-15**



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# 62a Haverstock Hill & 201 Prince of Wales Road



# 62a Haverstock Hill & 201 Prince of Wales Road



Junction view looking south



Prince of Wales Road elevation

# 62a Haverstock Hill & 201 Prince of Wales Road



Prince of Wales Road



Haverstock Hill

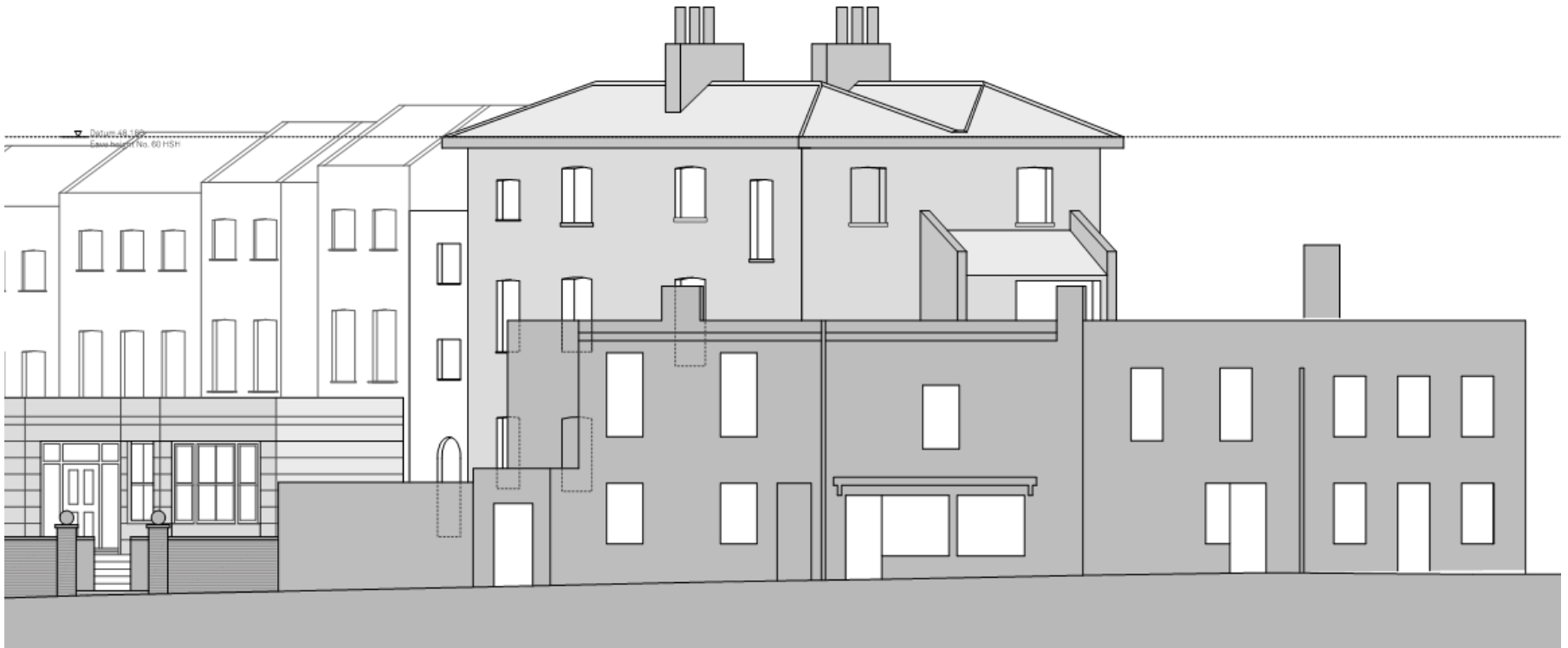


# 62a Haverstock Hill & 201 Prince of Wales Road



Haverstock Hill (existing elevation)

# 62a Haverstock Hill & 201 Prince of Wales Road

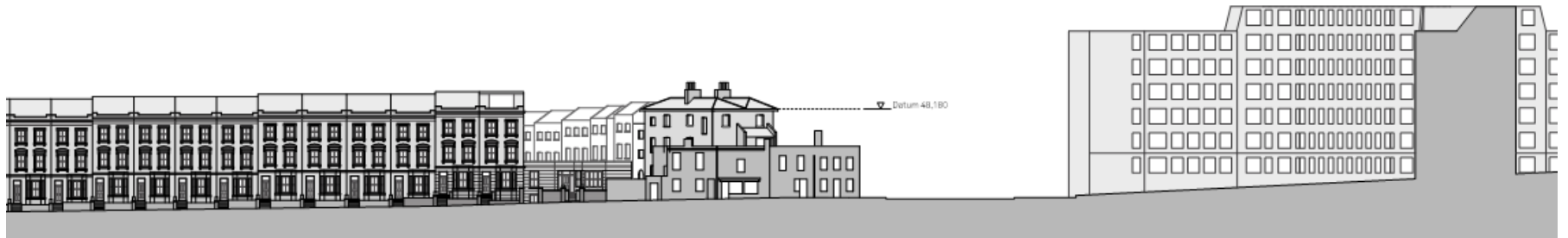


Prince of Wales Road (existing elevation)

# 62a Haverstock Hill & 201 Prince of Wales Road



Haverstock Hill existing context



Prince of Wales Road existing context

# 62a Haverstock Hill & 201 Prince of Wales Road



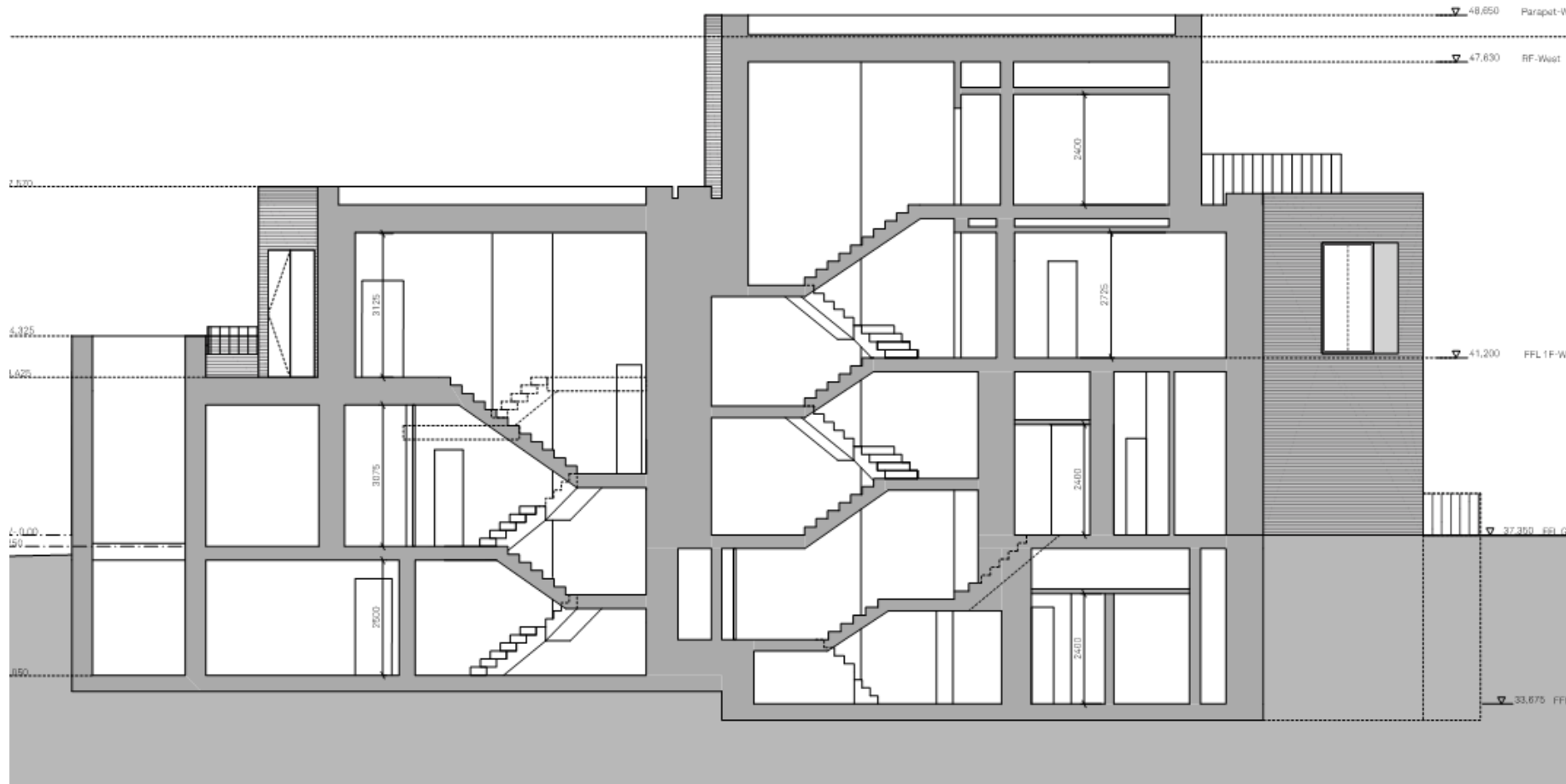
Haverstock Hill (proposed elevation)

# 62a Haverstock Hill & 201 Prince of Wales Road



Prince of Wales Road (proposed elevation)

# 62a Haverstock Hill & 201 Prince of Wales Road

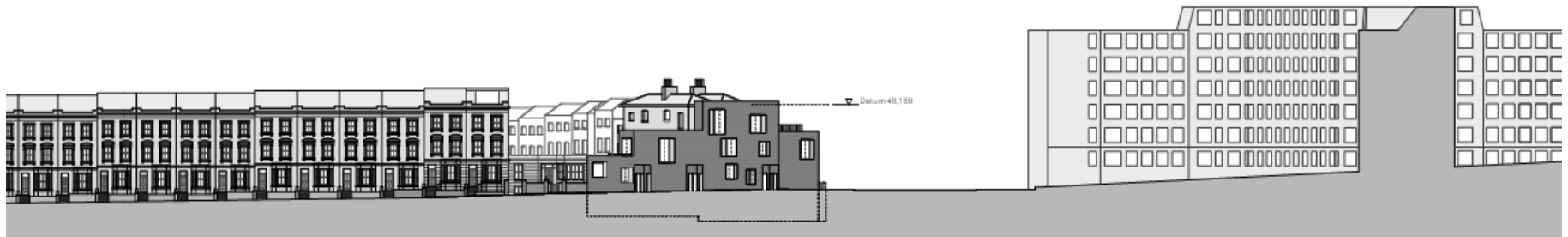


Proposed section

# 62a Haverstock Hill & 201 Prince of Wales Road



Haverstock Hill proposed context



Prince of Wales Road proposed context

# 62a Haverstock Hill & 201 Prince of Wales Road



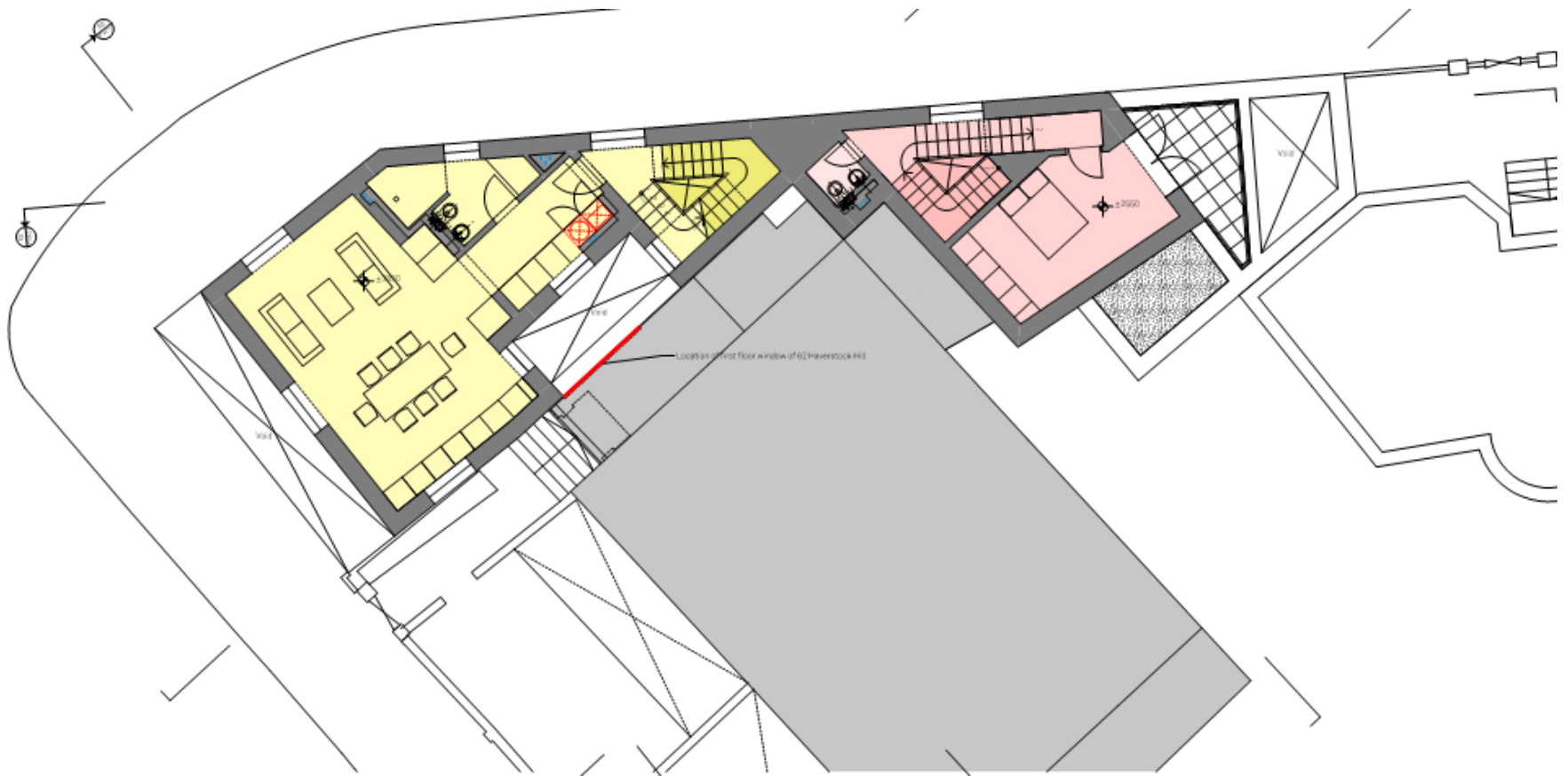
Basement plan (proposed)

# 62a Haverstock Hill & 201 Prince of Wales Road



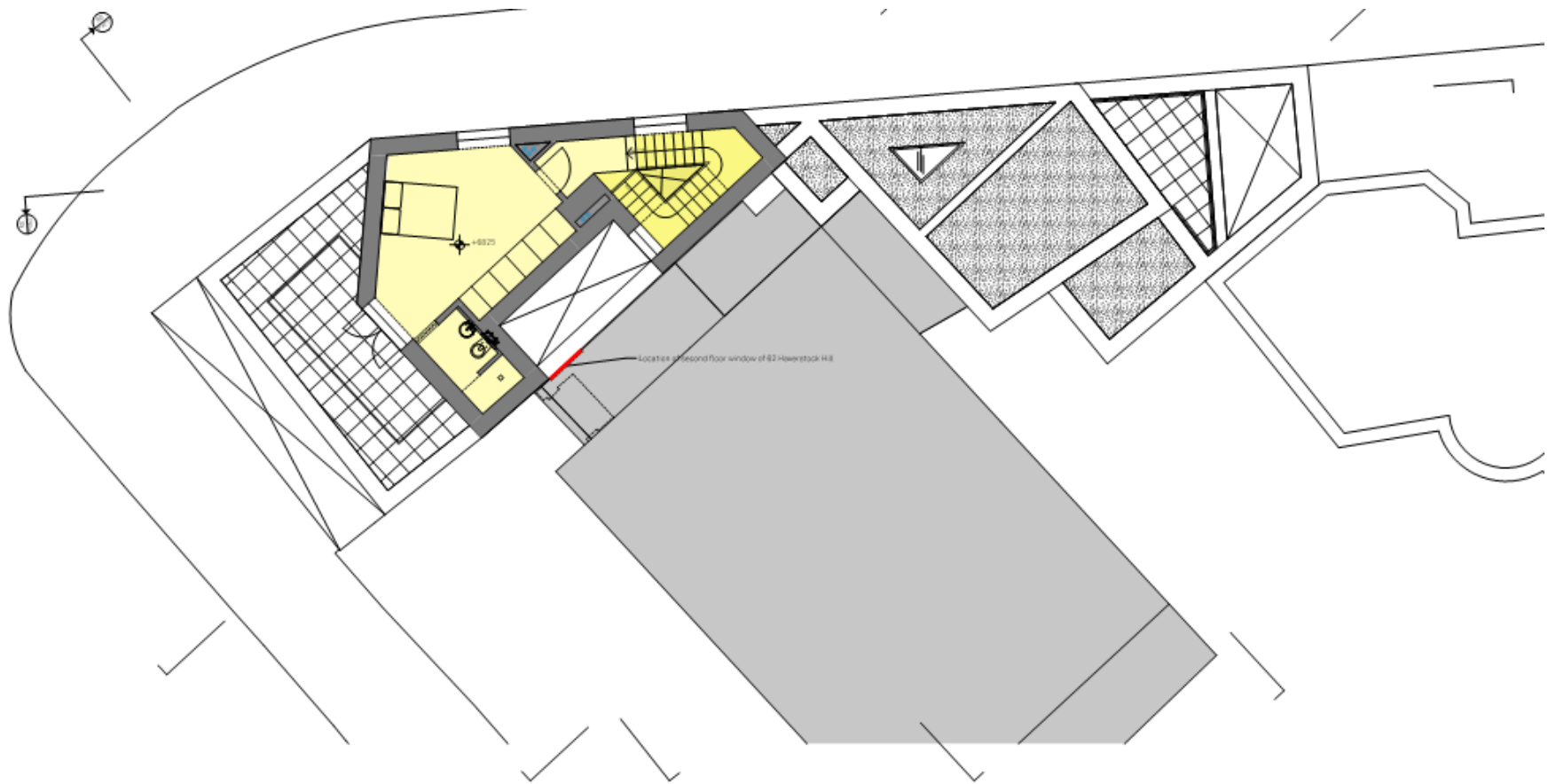
Ground floor plan (proposed)

# 62a Haverstock Hill & 201 Prince of Wales Road



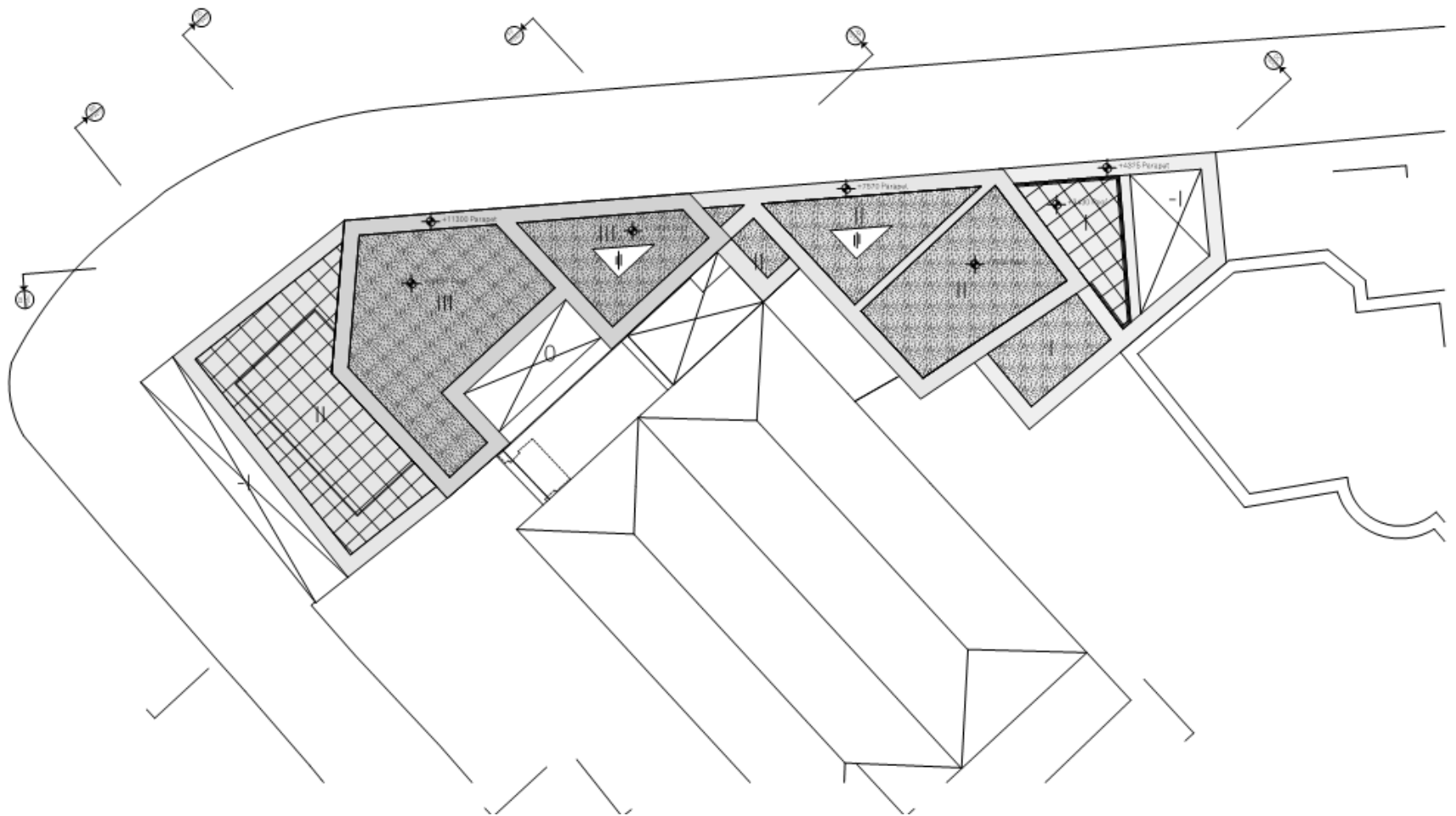
1<sup>st</sup> floor plan (proposed)

# 62a Haverstock Hill & 201 Prince of Wales Road



2<sup>nd</sup> floor plan (proposed)

# 62a Haverstock Hill & 201 Prince of Wales Road



Roof plan (proposed)

# 62a Haverstock Hill & 201 Prince of Wales Road



Proposed  
views

