

|  |  |                              |          |
|--|--|------------------------------|----------|
| <b>Address:</b>  | Abbey Estate Phase 3<br>(Emminster & Hinstock and Abbey Co-op Community Centre)<br>Abbey Road<br>London<br>NW6 4DX   |                              | <b>2</b> |
| <b>Application Number(s):</b>  | 2025/5114/P  | <b>Officer:</b> Joanne Clark |          |
| <b>Ward:</b>   | Kilburn  |                              |          |
| <b>Date Received:</b>  | 13th November 2025   |                              |          |
| <b>Proposal:</b>   | Non-material amendment to vary conditions 2 and 27 of planning permission ref. 2022/2542/P (Demolition and redevelopment of Emminster and Hinstock blocks including Belsize Priory Health Centre, Abbey Community Centre, public house and commercial units to provide new residential accommodation (Use Class C3) and ground floor commercial space (Use Class E) to be used as flexible commercial units, across three buildings ranging from 4 to 11 storeys, along with car and bicycle parking, landscaping and all necessary ancillary and enabling works); namely to amend the affordable housing types. |                              |          |
| <b>Background Papers, Supporting Documents and Drawing Numbers:</b><br>Existing Drawings: None relevant<br><br>Proposed Drawings: None<br><br>Documents: Explanatory statement |  |                              |          |
| <b>RECOMMENDATION SUMMARY:</b><br><br><b>Grant non-material amendment subject to a deed of variation to the Shadow Section 106 Legal Agreement</b>                             |  |                              |          |
| <b>Applicant:</b> London Borough of Camden<br>(Community Investment Programme)   |  | <b>Agent:</b> None           |          |

## EXECUTIVE SUMMARY

- i) The original permission for Abbey Phase 3 granted planning permission for redevelopment of the site to provide a mix of market and affordable homes. Of the 139 homes approved at Abbey Estate Phase 3, 93 were market homes and 46 were affordable homes. The affordable homes were split between 36 Social Affordable Rent, and 10 Intermediate rent.
- ii) This application is to alter the affordable housing tenures, so the 10 Intermediate Rent homes would become Social Affordable Rent, meaning 100% of affordable homes in Phase 3 would be Social Affordable Rent.
- iii) There would be no overall change to the amount of affordable homes, in number or floorspace, and there is no change proposed to overall mix of dwelling sizes, or to the approved layouts.
- iv) The tenures were set out in a head of term in the Shadow s106 agreement, as well as in condition 27 (which mirrors the head of term) and in the Affordable Housing Statement which was listed in condition 2, so all these would vary accordingly.
- v) The change to the affordable tenures involves changing all affordable homes to the most affordable housing type and whilst there is a conflict with the guideline mix set out in Local Plan Policy H4 of 60% social-affordable rent and 40% intermediate housing, there are sound reasons for this change being considered acceptable in this case, including flexibility set out in the policy.
- vi) The development will still provide 139 homes (Class C3) and continue to provide the same overall level of affordable housing – 46 affordable homes and 93 market homes.
- vii) Although the changes are material (intermediate rented homes will be replaced with social affordable rented homes) in terms of the head of term which is the vehicle for securing the affordable housing tenure type, they are not considered material in terms of the planning permission overall, and the homes remain Class C3 self-contained affordable residential properties. The scheme continues to comply with the development plan as a whole and the non-material amendment and deed of variation to the Shadow S106 legal agreement is recommended for approval.

## OFFICER REPORT

**Reason for Referral to Committee:** Development involving the making of an obligation or agreement under Section 106 of the Town and Country Planning Act 1990 or other legislation (“the obligation”) where the terms of the obligation are materially different from any previous obligation approved by the committee in relation to the same site. [Clause 3. iv)]

### 1. BACKGROUND

#### ***The Parent permission***

- 1.1 This is a non-material amendment application to amend a head of term in the shadow section 106 agreement on an extant planning permission. The original planning permission for this phase of the scheme (Phase 3) was approved on 3 March 2023 (Ref: 2022/2542/P). This is the “Parent permission” and the subject of this amendment application. Permission was granted for:

*‘Demolition and redevelopment of Emminster and Hinstock blocks including Belsize Priory Health Centre, Abbey Community Centre, public house and commercial units to provide new residential accommodation (Use Class C3) and ground floor commercial space (Use Class E) to be used as flexible commercial units, across three buildings ranging from 4 to 11 storeys, along with car and bicycle parking, landscaping and all necessary ancillary and enabling works’.*

- 1.2 The original committee report for the “Parent Permission” is attached to this report as an appendix.
- 1.3 The Abbey Estate regeneration scheme is being delivered across three phases, with the first two phases already delivered. Work on the final Phase 3 (Parent Permission) is ongoing with the works well under way. The development is due to complete at the end of January 2026, with first occupation expected to take place shortly afterwards.

#### ***Relevant History***

- 1.4 **The original Abbey scheme - 2013/4678/P** - Planning permission granted for a hybrid application (which superseded a previous consent dated 12th July 2012) for phased redevelopment of site, comprising detailed application for Phase 1 and outline application for layout and access only for Phases 2 and 3. Full details provided for Phase 1 comprising: up to 141 residential units (including up to 66 affordable units) in a 14 storey tower and 6 storey block, with 522.5 sq m of retail floorspace (Class A1) and 398.9 sqm of flexible commercial floorspace (Classes A1-A5 and B1) at ground floor and associated space for parking, plant, servicing, ancillary storage and energy centre at basement level. Phase 1 includes open space and landscaping,

alterations to existing highway layout and creation of new access routes, following demolition of the Belsize Road car park building. Phase 2 to comprise up to 2,500 sq m of community and health uses (Class D1) and up to 126sqm of office space (Class B1) in a two-storey building following demolition of existing high-level walkways. Phase 3 to comprise up to 85 residential flats in 6/7 storey blocks and 15 mews houses (including up to 48 affordable units), up to 120sqm of office space (Class B1) and up to 645sqm of flexible commercial floorspace (Classes A1-A5) and associated ancillary space for parking, plant and servicing in basement. Phases 2 and 3 include open space, landscaping, alterations to existing highway layout and new access routes. Phase 3 to follow the demolition of the Abbey Community Centre and Hinstock and Emminster blocks including Belsize Priory Health and Medical centre, residential and commercial units and site-wide walkways (**approved 16.05.14**).

- 1.5 **Updated Abbey Phase 2 scheme - 2020/2486/P** - Planning permission granted for 'Construction of a new health and community centre (Use Class D1), relocation of existing residential car park, along with landscaping, associated access, demolition of link bridge between Phases 2 and 3 and cycle parking' (**approved 27.11.20**)
- 1.6 **Updated Abbey Phase 3 scheme - 2022/2542/P (the Parent Permission and the subject of this amendment)** – Demolition and redevelopment of Emminster and Hinstock blocks including Belsize Priory Health Centre, Abbey Community Centre, public house and commercial units to provide new residential accommodation (Use Class C3) and ground floor commercial space (Use Class E) to be used as flexible commercial units, across three buildings ranging from 4 to 11 storeys, along with car and bicycle parking, landscaping and all necessary ancillary and enabling works' (**approved 03.03.2023**)
- 1.7 As a council own scheme, this was subject to a Shadow s106 Agreement which included a head of term setting out the affordable housing tenures for the scheme.
- 1.8 This was mirrored in Condition 27 which was added to define the head of term – which is a standard approach used in council own applications. The condition stated *'The development hereby approved shall provide 139 residential units (Class C3) consisting of 93 market units, 36 social rented units and 10 Camden Living (intermediate) units'*.
- 1.9 Also, the documents approved under condition 2 include an Affordable Housing Statement which stipulates numbers and types of dwellings in line with the condition.

## 2. PLANNING POLICY

### ***National and regional policy and guidance***

[National Planning Policy Framework 2024 \(NPPF\)](#)

[National Planning Practice Guidance \(NPPG\)](#)

[London Plan 2021 \(LP\)](#)

[London Plan Guidance](#)

[London Plan 2021 \(LP\)](#)

[GG1 Building strong and inclusive communities](#)

[GG4 Delivering the homes Londoners need](#)

[Policy D6 Housing quality and standards](#)

[Policy H4 Delivering affordable housing](#)

[Policy H6 Affordable housing tenure](#)

[Policy H8 Loss of existing housing and estate redevelopment](#)

[Policy H9 Ensuring the best use of stock](#)

[Policy H10 Housing size mix](#)

[Camden Local Plan \(2017\) \(CLP\)](#)

[Policy G1 Delivery and location of growth](#)

[Policy H4 Maximising the supply of affordable housing](#)

[Policy H5 Protecting and improving affordable housing](#)

[Policy H6 Housing choice and mix](#)

[Policy H7 Large and small homes](#)

[Supplementary Planning Documents and Guidance](#)

*Most relevant Camden Planning Guidance (CPGs):*

[Housing - January 2021](#)

[Proposed Submission Draft Camden Local Plan \(DCLP\)](#)

The [Proposed Submission Draft Camden Local Plan](#) was submitted to the Secretary of State for Housing, Communities and Local Government on the 3 October 2025 for independent examination, in accordance with Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). The Plan will now be examined by a Planning Inspector.

Previously, the Council published the draft new Camden Local Plan for consultation in January 2024 and published an updated Proposed Submission Draft Camden Local Plan for consultation from 1 May to 27 June 2025.

The Proposed Submission Draft Local Plan (DCLP) is a significant material consideration in the determination of planning applications but has limited weight at this stage. The weight that can be given to an emerging plan increases as it progresses towards adoption. In line with paragraph 49 of the National Planning Policy Framework (NPPF), the degree of weight to be given is a matter for the decision-maker, having regard to the stage of

preparation, the extent of unresolved objections, and the consistency of the draft policies with the NPPF.

### 3. ASSESSMENT

#### PROPOSED CHANGE IN AFFORDABLE HOUSING TENURE

##### *The proposed change*

- 3.1 This application does not seek any physical changes to the scheme at all. Nor does it seek to change the amount or proportion of affordable housing which remains at 46 affordable homes (or 33% of Phase 3).
- 3.2 The only change is to alter the tenure of the affordable homes to be 100% Social Affordable Rent which is the most affordable tenure of affordable housing. This will mean the 36 Social Affordable homes already approved will remain, but the 10 Intermediate Rent homes will change to also be Social Affordable Rent.
- 3.3 The following table shows the proposed change to the tenure of the affordable housing at Abbey Phase 3.

| Tenure                        | Parent permission<br>(Approved 2023) | Proposed amendment<br>(Current NMA) | Difference |
|-------------------------------|--------------------------------------|-------------------------------------|------------|
| Market homes                  | 93                                   | 93                                  | 0          |
| Social affordable homes       | 36                                   | 46                                  | + 10       |
| Intermediate homes            | 10                                   | 0                                   | - 10       |
| <b>Total affordable homes</b> | <b>46</b>                            | <b>46</b>                           | <b>0</b>   |
| <b>Total homes</b>            | <b>139</b>                           | <b>139</b>                          | <b>0</b>   |

*Table 1 - Proposed affordable housing tenure changes*

- 3.4 The plans and layouts remain the same, as do all other requirements of the permission. The details of the tenure split are set out and secured in the associated Shadow s106 Agreement and so this head of term would be amended under a deed of variation.
- 3.5 Furthermore, the associated condition 27 would be amended to align with the deed of variation, and the list of approved documents in condition 2 would be amended to include an addendum to the Affordable Housing Statement.

##### *Impact of the proposed change*

- 3.6 The applicants have stated the following in support of the application:

- The proposal to change the tenure of the 10 Intermediate Rent homes to Social Affordable Rent was made in recognition of the very high demand for social rent housing in the borough.
  - There are currently over 8,000 households on Camden's Housing Register looking for a home.
  - Two thirds of the homes that do become available are studios or 1-bedroom homes, so the provision of more two bed social affordable homes is positive.
- 3.7 The Camden Local Plan 2017 (CLP) sets out the Council's affordable housing objectives in Policy H4. This policy provides a guideline mix for affordable housing types rather than rigid requirements, this being a mix of 60% social-affordable rent (Social Rent or London Affordable Rent) and 40% intermediate housing. Affordable housing targets are assessed on the basis of residential floorspace.
- 3.8 More detail is set out in the supporting paragraphs of the CLP, and paragraph 3.105 states that the guidelines will be applied flexibly, and that the Council may support proposals that only provide social-affordable rented housing in certain circumstances, such as where the overall proportion of affordable housing is below the 50% affordable housing target.
- 3.9 Abbey Phase 3 involves 139 homes in total, of which 46 will be affordable. By residential floorspace, the approved market/affordable mix is 63.8% market housing and 36.2% affordable housing. The current tenure mix of affordable housing in the Parent Permission is 83.8% social affordable and 16.2% intermediate rent.
- 3.10 However, the mix as shown in the policy is a guideline only and several factors must be taken into account when considering whether a proposed housing mix is acceptable, The flexible application of the guideline mix in certain circumstances applies to *additional* housing proposed on development sites. This proposal is for the regeneration of an existing estate where existing social rented accommodation has been replaced.
- 3.11 The Abbey Estate the scheme involved the loss of 74 existing homes (70 for social rent), which were demolished in 2023. Most former tenants now occupy new social rented homes developed during phase 1 on the former Belsize Road car park site.
- 3.12 Whilst the former social tenants have already been provided with replacement homes, the number of new social affordable rented homes proposed in Phase 3 falls below the number that were previously on this part of the Abbey site, so there is a strong case for applying the flexibility provided by the plan policies, and changing the tenure of the 10 approved intermediate rented homes to social-affordable rented homes.

- 3.13 Tenures of affordable can also have an impact on the size of dwellings needed. CLP policy H7 seeks a mix of large and small homes and expects developments to contribute to the priorities set out in the Dwelling Size Priorities Table.

|                          | 1-bedroom<br>(or studio) | 2-bedroom | 3-bedroom | 4-bedroom<br>(or more) |
|--------------------------|--------------------------|-----------|-----------|------------------------|
| Social-affordable rented | lower                    | high      | high      | medium                 |
| Intermediate affordable  | high                     | medium    | lower     | lower                  |
| Market                   | lower                    | high      | high      | lower                  |

*Table 2 - Dwelling Size Priorities (Local Plan Table 1)*

- 3.14 The priorities table above shows the higher priorities for **social affordable rented homes** are for 2 and 3-bed homes, and priorities for **intermediate rent homes** being high for 1-bed homes, and medium demand for 2-bed
- 3.15 Of the 10 homes at Abbey Phase 3 which are proposed to be changed to social affordable rent, eight are 2-bedroom homes, one of which is adapted for wheelchair users. The Housing Register shows that 2-bedroom homes are in the highest demand for social rent (see table below), representing more than a third of all applicants.

| Home type    | Total applicants | % of applicants |
|--------------|------------------|-----------------|
| Studio       | 1481             | 17.63%          |
| 1-Bed        | 1514             | 18.03%          |
| <b>2-Bed</b> | <b>2860</b>      | <b>34.05%</b>   |
| 3-Bed        | 1988             | 23.67%          |
| 4-Bed        | 493              | 5.87%           |
| 5-Bed        | 58               | 0.69%           |
| 6-Bed        | 5                | 0.06%           |
| <b>Total</b> | <b>8399</b>      | <b>100.00%</b>  |

*Table 3 - Demand for homes, by home type (size), on Camden's General Needs Housing Register (July 2025)*

- 3.16 Eight of the 10 homes to be changed to social-affordable rented homes will be two-bedroom homes, and only two will be one-bedroom homes. Two-bedroom homes for social-affordable rent are in high demand, whilst there is a lower demand for the remaining two one-bedroom homes.
- 3.17 Overall, the scheme continues to provide a balanced mix of homes within the affordable tenure which still aligns with the development plan.



### ***Other matters***

3.18 Other potential benefits of providing these ten homes for social-affordable rent are:

- **The homes better meet the needs of the tenure** - whereas the majority of those on the Intermediate Housing Register of Interest are seeking a one-bedroom home.
- **Simpler and more efficient long-term management of the homes** - Block A will be more readily managed as a block formed entirely of homes for social-affordable rent. Mixed-tenure developments can most readily be managed to meet differing tenant expectations where each tenure occupies different floors or is accessed separately, however the 10 intermediate homes were to have been interspersed between social-affordable rented homes on the first, second, third and fourth floors of Block A.

3.19 It is notable that there are currently 1385 entries on the Council's Intermediate Housing Register of Interest. The majority, 970 are looking for a studio or 1-bedroom property. However, these are registrants that are looking for rented housing in the borough but do not have an assessed housing need as is required to join the Council's General Needs Housing Register for Social Rented/London Affordable Rented housing.

3.20 It is also relevant to point out that the GLA's Accelerated Housing Delivery Planning and Housing Practice Note published in December 2024, promoted the availability of additional funding to convert existing planned affordable homes to more affordable tenures, and the proposed change is being brought forward further to this.

3.21 Two neighbouring residents commented on a previous submission which proposed the same changes (initially submitted as a S73 application then withdrawn) One stated that they cannot see any justification for the change which will reduce the number of homes that Camden Living operates (the Intermediate Homes), because there is no reduced demand for Camden Living homes. The other stating that more Camden Living homes are needed rather than social. However, as set out above that is not the case, whilst there is a demand for both tenure types the highest demand is for social rent. This is a key factor for supporting the change in this case, but not the only one as has been set out in the report. The proposed changes continue to align with development plan as a whole, providing affordable housing for which there is a demand and continuing to ensure a mixed and balanced community across the regeneration scheme.

## **4. CONCLUSION**

4.1 The proposed amendments to the planning permission are non-material in nature and so are the changes to conditions. There is no change to the

proposed land use, mix and layout of residential properties. However, there is a change in the tenure of 10 of those homes from intermediate to social affordable rent which is a material change to a head of term in the associated Shadow S106 agreement.

- 4.2 Whilst it could be argued that the change to head of term conflicts with policy H4 of the Local Plan, it is considered for the reasons set out in the report that the proposal accords with the Development Plan as a whole. The proposed amendment will provide housing for which there is an identified need, the supporting text to the policy envisages it being applied flexibly and across the wider Abbey regeneration scheme there would continue to be a range of tenure types supporting a mixed and balanced community.

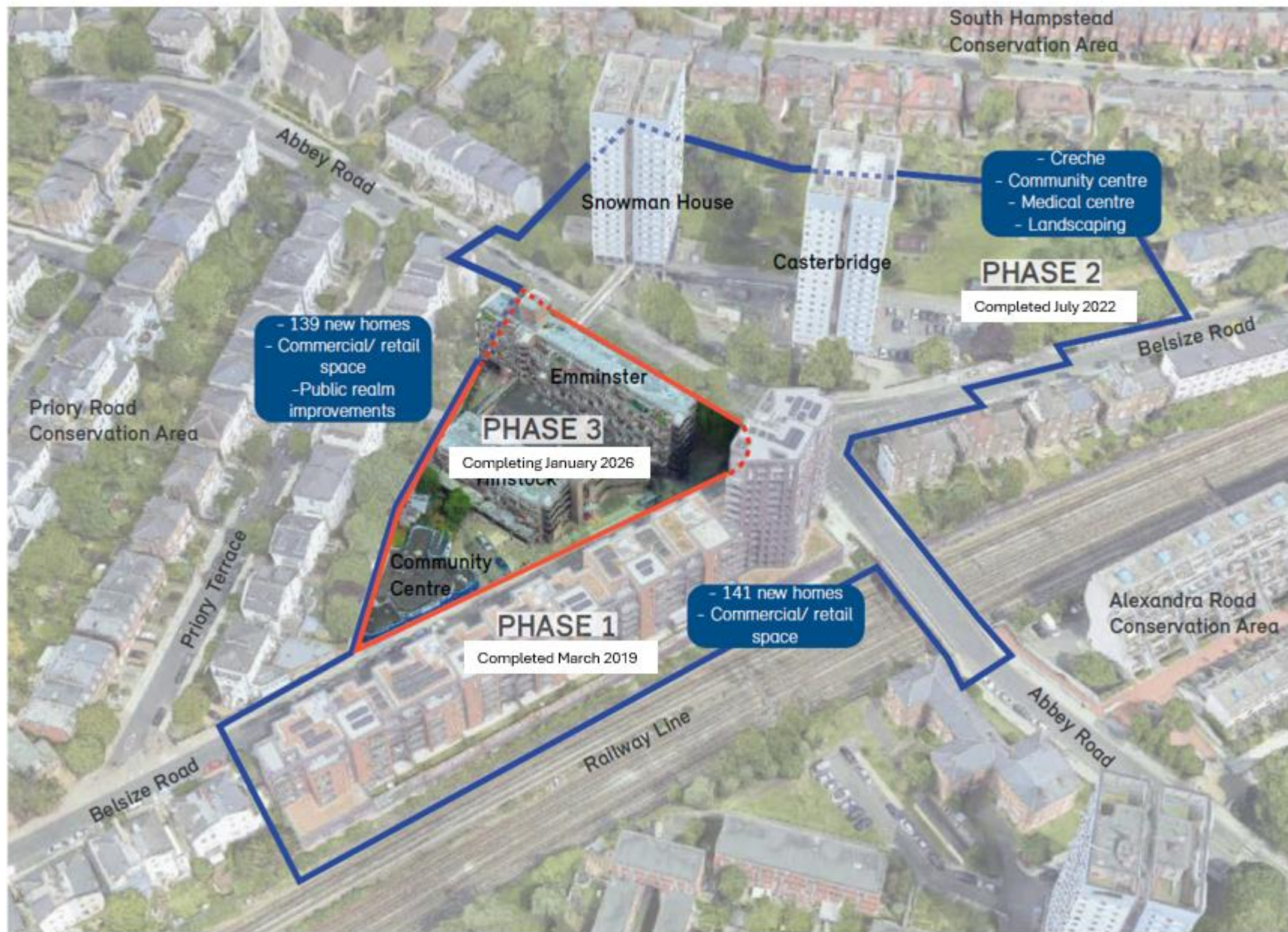
## **5. RECOMMENDATION**

- 5.1 Grant the Non-Material Amendment subject to the following amendments to reflect the revised affordable housing tenures:

- a deed of variation to the Shadow Section 106 Agreement;
- the amendment of condition 2 (approved documents); and
- the amendment of condition 27 (shadow s106 housing tenures).

## **6. LEGAL COMMENTS**

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













## APPENDIX A

|                            |  |                              |          |
|----------------------------|--|------------------------------|----------|
| <b>Address:</b>            | Abbey Co-op Phase 3 (Emminster & Hinstock and Abbey Co-op Community Centre)<br>Abbey Road<br>London<br>NW6 4DP |                              | <b>1</b> |
| <b>Application Number:</b> | 2022/2542/P  | <b>Officer:</b> David Fowler |          |
| <b>Ward:</b>               | Kilburn  |                              |          |
| <b>Date Received:</b>      | 17/05/2022   |                              |          |

**Proposal:** Demolition and redevelopment of Emminster and Hinstock blocks including Belsize Priory Health Centre, Abbey Community Centre, public house and commercial units to provide new residential accommodation (Use Class C3) and ground floor commercial space (Use Class E) to be used as flexible commercial units, across three buildings ranging from 4 to 11 storeys, along with car and bicycle parking, landscaping and all necessary ancillary and enabling works.

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

Existing plans:  
ARR-PTE-ZZ-00-DR-A-10000, ARR-PTE-ZZ-00-DR-A-10101, ARR-PTE-ZZ-00-DR-A-10102, ARR-PTE-ZZ-00-DR-A-10103, ARR-PTE-ZZ-00-DR-A-10104, ARR-PTE-ZZ-00-DR-A-10105, ARR-PTE-ZZ-00-DR-A-10106, ARR-PTE-ZZ-00-DR-A-10107, ARR-PTE-ZZ-00-DR-A-10108, ARR-PTE-ZZ-00-DR-A-10109, ARR-PTE-ZZ-ZZ-DR-A-10210, ARR-PTE-ZZ-ZZ-DR-A-10211, ARR-PTE-ZZ-ZZ-DR-A-10212, ARR-PTE-ZZ-ZZ-DR-A-10313, ARR-PTE-ZZ-ZZ-DR-A-10314, ARR-PTE-ZZ-ZZ-DR-A-10315, ARR-PTE-ZZ-ZZ-DR-A-10316, ARR-PTE-ZZ-ZZ-DR-A-10317, ARR-PTE-ZZ-ZZ-DR-A-10318, ARR-PTE-ZZ-ZZ-DR-A-10319.

Demolition plans:  
ARR-PTE-ZZ-00-DR-A-10020, ARR-PTE-ZZ-00-DR-A-10121, ARR-PTE-ZZ-00-DR-A-10122, ARR-PTE-ZZ-00-DR-A-10123, ARR-PTE-ZZ-00-DR-A-10124, ARR-PTE-ZZ-00-DR-A-10125, ARR-PTE-ZZ-00-DR-A-10126, ARR-PTE-ZZ-00-DR-A-10127, ARR-PTE-ZZ-00-DR-A-10128, ARR-PTE-ZZ-00-DR-A-10129, ARR-PTE-ZZ-ZZ-DR-A-10230, ARR-PTE-ZZ-ZZ-DR-A-10231, ARR-PTE-ZZ-ZZ-DR-A-10232, ARR-PTE-ZZ-ZZ-DR-A-10333, ARR-PTE-ZZ-ZZ-DR-A-10334, ARR-PTE-ZZ-ZZ-DR-A-10335, ARR-PTE-ZZ-ZZ-DR-A-10336, ARR-PTE-ZZ-ZZ-DR-A-10337, ARR-PTE-ZZ-ZZ-DR-A-10338, ARR-PTE-ZZ-ZZ-DR-A-10339.

Proposed plans:  
ARR-PTE-ZZ-00-DR-A-10040 A, ARR-PTE-VA-ZZ-DR-A-10141 B, ARR-PTE-VB-ZZ-DR-A-10142 C, ARR-PTE-VB-ZZ-DR-A-10143 A, ARR-PTE-VB-ZZ-DR-A-10144 A, ARR-PTE-VC-ZZ-DR-A-10145 A, ARR-PTE-VC-ZZ-DR-A-10146 A, ARR-PTE-VA-ZZ-DR-A-10247 B, ARR-PTE-VB-ZZ-DR-A-10248 A, ARR-PTE-



VC-ZZ-DR-A-10249 A, ARR-PTE-VA-ZZ-DR-A-10350 B, ARR-PTE-VA-ZZ-DR-A-10351 B, ARR-PTE-VA-ZZ-DR-A-10352 B, ARR-PTE-VB-ZZ-DR-A-10353 A, ARR-PTE-VB-ZZ-DR-A-10354 A, ARR-PTE-VB-ZZ-DR-A-10355 A, ARR-PTE-VC-ZZ-DR-A-10356 A, ARR-PTE-VC-ZZ-DR-A-10357 A, ARR-PTE-VC-ZZ-DR-A-10358 A, ARR-PTE-ZZ-ZZ-DR-A-10359 A, ARR-PTE-ZZ-ZZ-DR-A-10360 B, ARR-PTE-ZZ-ZZ-DR-A-10361 A, ARR-PTE-ZZ-ZZ-DR-A-10362 B, D2857-FAB-S1-XX-DR-L-9100 P1, D2857-FAB-S1-XX-DR-L-9101 P1, D2857-FAB-S1-XX-DR-L-9200 P1, D2857-FAB-S1-XX-DR-L-9201 P1.

**Documents:**

Transport Assessment ref: 47293/5001 rev A dated April 2022; Affordable Housing Statement ref: JAKI/FKI/JL/G6817; Air Quality Assessment ref: 29172-RP-IE-001; Arboricultural Impact Assessment ref: SHE 1032; Design and Access Statement Revision C, dated May 2022; Archaeological Desk-Based Assessment ref: JAC27849; Biodiversity Net Gain Assessment ref: 330510094; Statement of Community Involvement dated April 2022; Daylight and Sunlight Report ref: 19495; Ecological Assessment Report ref: 330510094; Energy Statement dated 03/05/2022; Equalities Impact Assessment Report dated 4 May 2022; Planning Statement dated May 2022; Financial Viability Assessment ref: U0017643; Fire Statement ref: LO19113; Foul Drainage and Utilities Assessment ref: BS 1679; Phase 1 Ground Condition Assessment ref: ARR-STN-XX-00-RP-S-3501-S2-R01; Health Impact Assessment dated 3 May 2022; Heritage, Townscape and Visual Impact Assessment dated April 2022; Acoustics, Ventilation & Overheating, Level 1 Assessment ref: 9770.ATN01.AVO.0; Level 2 Overheating Assessment ref: 9770.RP02.AVO2.2; External Building Fabric Assessment ref: 9770.RP01.EBF.4; Operational Waste Management Strategy ref: 330510094; Pedestrian Wind Environment Study ref: WF389-02F02(REV4); Proposed External Luminaires Report ref: BS 1679; Sustainability Statement dated 29 April 2022; Circular Economy Statement ref: 60674228; Employment and Training Strategy dated May 2022; Stage 2/3 Whole-Life Cycle Carbon Assessment ref: 60674228; Flood Risk Assessment and Surface Water Drainage Strategy ref: 330510094, Daylight and Sunlight Report – Self assessment addendum (Delva Patman Redler) September 2022.

**RECOMMENDATION SUMMARY:**

**Grant conditional planning permission following:**

- (i) referral to Mayor of London for his direction (Stage 2 referral), and
- (ii) completion of a Shadow Section 106 Legal Agreement

**Applicant:**

London Borough of Camden

**Agent:**

CBRE Ltd

## ANALYSIS INFORMATION

| Land use details |                   |                    |                    |                      |
|------------------|-------------------|--------------------|--------------------|----------------------|
| Use Class        | Description       | Existing GIA (sqm) | Proposed GIA (sqm) | Difference GIA (sqm) |
| C3               | Dwellings (flats) | 4,625.5            | 12,870.6           | + 8,245.1            |
| E                | Use Class E       | 835                | 305.3              | - 529.7              |
| <b>TOTAL</b>     |                   | <b>5460.5</b>      | <b>13,175.9</b>    | <b>+ 7,715.4</b>     |

| Existing Residential Use Details: |                  |                          |           |          |          |           |
|-----------------------------------|------------------|--------------------------|-----------|----------|----------|-----------|
|                                   | Residential Type | No. of Bedrooms per Unit |           |          |          |           |
|                                   |                  | Studio                   | 1         | 2        | 3        | Total     |
| Market                            | Flat             | 0                        | 0         | 0        | 0        | <b>0</b>  |
| Affordable (Social rent)          | Flat             | 19                       | 55        | 0        | 0        | <b>74</b> |
| <b>TOTAL – All</b>                | <b>Flats</b>     | <b>19</b>                | <b>55</b> | <b>0</b> | <b>0</b> | <b>74</b> |

It is noted that the existing units were originally 70 social rent units and 4 market units, as documented in the earlier Hybrid planning application (Ref: 2013/4678/P). However, two of the market units have already been bought by the Applicant and purchase of the remaining is to be concluded by the Applicant this year.

| Proposed Residential Use Details:   |                  |                          |           |           |          |            |
|-------------------------------------|------------------|--------------------------|-----------|-----------|----------|------------|
|                                     | Residential Type | No. of Bedrooms per Unit |           |           |          |            |
|                                     |                  | 1                        | 2         | 3         | 4        | Total      |
| Market                              | Flat             | 45                       | 48        | 0         | 0        | <b>93</b>  |
| Affordable (Social affordable rent) | Flat             | 7                        | 12        | 17        | 0        | <b>36</b>  |
| Affordable (Intermediate Rent)      | Flat             | 2                        | 8         | 0         | 0        | <b>10</b>  |
| <b>TOTAL – All</b>                  | <b>Flats</b>     | <b>54</b>                | <b>68</b> | <b>17</b> | <b>0</b> | <b>139</b> |

| Parking Details: |                          |                           |
|------------------|--------------------------|---------------------------|
|                  | Parking Spaces (General) | Parking Spaces (Disabled) |
| Existing         | 0                        | 0                         |
| Proposed         | 0                        | 0                         |

## **OFFICERS' REPORT**

### **Reason for Referral to Committee**

**Residential development involving the construction of a building, resulting in provision of 10 or more new dwellings [Clause 3(i)].**

### **Environmental Impact Assessment (EIA)**

**A screening opinion for the proposal was provided by the Council in 2013 whereby that development did not constitute an EIA development under the EIA Regulations 2011/2015 Regulations.). An EIA is therefore not applicable to the development.**

### **Referral to the Mayor**

**This application is referable to the Mayor of London under the provisions of Category 1C of the Schedule to the Town & Country Planning (Mayor of London) Order 2008: "Development which comprises or includes the erection of a building of (c) more than 30 metres high and is outside the City of London".**

**Once Camden has resolved to determine the application, it is required to refer it back the Mayor for his decision as to whether to direct refusal; take it over for his own determination; or allow the Council to determine it itself.**

## **EXECUTIVE SUMMARY**

The application relates to a triangular site that consists of the Belsize Priory Health Centre and Abbey Community Centre, two affordable housing blocks - Hinstock (five-storeys) and Emminster (eight-storey block) - and ground floor commercial units.

The site does not lie within a Conservation Area or contain any listed buildings but there are adjacent and nearby Conservation Areas and listed buildings. The site is located within an Archaeological Priority Area.

The site was originally to be Phase 3 (granted in outline) of a hybrid planning application that was granted for the site, with Phase 1 being granted in detail. Phase 1 of that scheme was implemented, but the permission lapsed prior to the reserved matters approvals for phases 2 and 3 being submitted, so Phase 2 outline was later superseded by a detailed full application to provide a health and medical centre. This application is also a detailed full application for the site. The previous approval granted outline permission in Phase 3, for 85 residential flats in 6/7 storey blocks and 15 mews houses (including up to 48 affordable units) as well as commercial space.

The replacement scheme is for demolition and redevelopment of the site to provide 139 new residential dwellings (Use Class C3) and ground floor commercial space (Use Class E to be used as flexible commercial units, across three buildings ranging from 4 to 11 storeys, along with car and bicycle parking, landscaping and all necessary ancillary and enabling works.

As part of the application, 139 residential units are proposed with 93 private residential units, and 46 affordable units comprising 36 social affordable rent homes and 10 intermediate rent homes which is considered to the maximum amount of

affordable housing the scheme can delivered by the Council's independent viability auditor and welcomed by officers.

The character of the surrounding area features a mix of architectural styles and heights. The building typologies in the surrounding area vary in age and there is a diverse range of materials. Whilst the area is predominantly residential, there are secondary uses such as offices, community centres, retail, leisure and a variety of other supporting ancillary uses as well.

The area is well-served by public transport and the site benefits from a public transport accessibility level ('PTAL') of 6a (with the highest rating being 6b). Therefore, it is considered to have a very good level of access to public transport. The proposal is car free (with the exception of disabled parking).

Given the location, distance and orientation of the proposed buildings with respect to neighbouring residential properties at Belsize and Abbey Road, it is considered that the proposed development would have acceptable amenity impacts.

The design is high quality and was endorsed by the independent Camden Design Review Panel.

The scheme will deliver high quality market and affordable housing in the borough, helping to meet the significant need for housing. On the balance of all material planning considerations, the proposal is considered acceptable in its current form, and it is therefore recommended that planning permission be granted.

## **1 INTRODUCTION TO APPLICATION**

- 1.1 The site is Phase 3 of the three-phase Abbey Co-op development. Phase 1 is predominantly residential and has been completed and occupied. Phase 2 is for the health and medical centre and was completed in July 2022.
- 1.2 This regeneration scheme comes forward as part of an ongoing series of such projects to be delivered within the Council's Community Investment Programme (CIP). CIP is the Council's approach to investing in Camden's homes as well as to provide social and community infrastructure. The CIP was agreed by Cabinet in December 2010 and brings together a wide range of work considering how best to use the Council's assets to improve, shape and transform key places and services within Camden. The vision of the CIP is to apply a strategic approach to enable the use of assets to support community investment. It aims to use disposals and rationalisation to create value which would contribute to the funding of the Council's capital investment priorities, focussed by considering the age and conditions of the Council's portfolio and the capital programme commitments.
- 1.3 The *Investing in Camden's Homes Strategy* (May 2007) states that regeneration schemes will address £100m of the identified investment need, funding essential improvements to existing tenants and leaseholders' homes. It also sets out that regeneration schemes will go beyond decent homes and apply place-shaping principles, working with communities to develop a vision for the area and investing in the wider physical and social infrastructure. These projects also aim to deliver new

and refurbished homes, directly addressing local housing needs, achieving high standards of environmental sustainability and energy efficiency, and delivering wider social benefits, including helping people to get into work and improving public health.

- 1.4 The investment strategy explained that the Council would consider estates for regeneration where there was a substantial investment need, development opportunities that could generate investment capital and the potential to create more sustainable communities.
- 1.5 The new and refurbished homes delivered through estate regeneration will help the Council meet housing supply targets. The *Strategy* includes a commitment to “*look to improve environmental and social sustainability, and tackle issues like worklessness, overcrowding and mobility*”.

## **2 SITE**

- 2.0 Bounded by Belsize Road to the south, Abbey Road to the east and the rear of properties along Priory Terrace diagonally to the northwest, the Phase 3 site is currently occupied by two council housing blocks, Emminster and Hinstock, providing a total of 74 flats, 70 of which are affordable units, the remaining 4 being market units that are to be purchased by the applicant. These flats have been vacated with most tenants moving into Phase 1 of the Abbey Co-op development.
- 2.1 The ground floor of Hinstock hosts a small parade of nine commercial units (mostly use class E(a) which is retail). Emminster’s offer includes a public house (sui generis), specialist party goods store and a piano repair/sales shop (both class E(a)). One of the units currently houses the Tenant Management Organisation (TMO) which has been relocated into Phase 1. In addition, this site houses the Belsize Priory Health Centre (use class E(e)) and the Abbey Community Centre (use class F2(b)), which are moving in to the completed Phase 2 development, across Abbey Road.
- 2.2 To the rear of the site, there is a pedestrian alleyway which connects Abbey Road and Belsize Road.
- 2.3 The application site is located to the west of the borough on the boundary with the City of Westminster to the south. It is situated between three designated centres: Kilburn Town Centre to the west, Finchley Road / Swiss Cottage Town Centre to the east and West Hampstead Town Centre to the north. The site is bounded to the north, east and west by existing private residential properties and further to the south by the West Coast mainline and London Overground train lines. Further to the south beyond the railway lines is the Grade II\* listed Alexandra and Ainsworth Estates and the Abbey Estate, predominantly owned and managed by LB Camden.
- 2.4 The site has an “excellent” level of accessibility scoring a PTAL of 6a.



Figure 1: The site outlined in red

### 3 THE PROPOSAL

- 3.0 The application is for a residential development, involving the demolition of the Emminster and Hinstock housing blocks including Belsize Priory Health Centre, Abbey Community Centre, public house and commercial units, to provide new residential accommodation (Use Class C3) and ground floor commercial space (Use Class E) to be used as flexible commercial units.
- 3.1 The scheme proposes three buildings ranging from 4 to 11 storeys with 139 residential units (93 private residential units, 36 social rent homes and 10 Camden Living homes), landscaping and all necessary ancillary and enabling works.
- 3.2 The health and community centres have been re-provided through Phase 2.

### 4 RELEVANT HISTORY

- 4.0 On **12 July 2012** outline planning permission was granted (subject to conditions and a 'shadow s106' (**ref 2012/0096/P**) for "Outline application for phased redevelopment of site to provide up to 299 residential (Class C3) units (including up to 133 affordable units), up to 1,300 sqm of commercial floor space (Class A1-A5), up to 1,000sqm of

*business floorspace (Class B1), up to 2,250sqm community and health floorspace (Class D1) and associated space for parking, plant, servicing, ancillary storage and energy centre, all in five buildings as follows: Block C (up to 2 and 3 storey community and health uses), Blocks A, B, D and E (predominantly up to 6 and 7 storeys residential and commercial uses) and Block A (up to 6 to 12 storeys of residential and commercial uses); provision of open space and landscaping; alterations to existing highway layout and creation of new vehicular and pedestrian access routes; all following demolition of Belsize car park building, Abbey Coop Community Centre and Hinstock and Emminster blocks (including Belsize Priory Health centre, residential and commercial units), site-wide walkways and pedestrian railway bridge. Application provides detail for approval of layout and access only and not scale, appearance or landscaping.”*

- 4.1 On **5<sup>th</sup> December 2012** reserved matters approval was granted **(2012/5648/P)** for “Amendments to conditions 9 (matters reserved), 15 (residential privacy), 18 (refuse and recycling, 19i (play strategy), 20 (open space strategy), 21 (protection of trees), 23 (slab levels), 33 (servicing management plan), 34 (cycle parking), 35i & 35ii (public realm improvements), 40 (environmental improvements), 42 (level plans), 43 (car club bays), 45 (acoustic report), 47 (drainage & SUDs), 52 (biodiversity strategy), 54 (ducting and ventilation), 57 (contamination assessment), 58 (site investigation and submission of a remediation scheme), 61 (local wind environment), 62 (telecoms impact), 66 (KX working), 67 (archaeology), 69 (piling method statement), 70 (community safety), 71 (open space contribution), 72 (education) and 73 (Legal agreement) of planning permission dated 12/07/2012, ref 2012/0096/P (Outline application for phased redevelopment of site). Amendments relate to timing of submission of relevant details in order to allow enabling works of demolition”.
- 4.2 On **6<sup>th</sup> March 2013** a request for a screening opinion **(2013/0806/P)** was responded to with the decision that an EIA was not required.
- 4.3 In **July 2013** approval was granted **(2013/2498/P)** for “Details pursuant to condition 21 parts (a)i (tree survey) and (a)iv (trees to be removed)”. Details provided in preparation for the demolition of the Belsize Road carpark and high-level walkway.
- 4.4 In **July 2013** approval was granted **(2013/3443/P)** for “Details of a Written Scheme of Investigation as required by condition 67(a: Archaeology and b: WSI”. Details provided in preparation for the demolition of the Belsize Road carpark and high-level walkway.
- 4.5 On **16<sup>th</sup> May 2014** planning permission was granted **(2013/4678/P)** for a hybrid application. This hybrid consent superseded the previous consent dated 12<sup>th</sup> July 2012. Details of the hybrid consent are as follows: *Hybrid application for phased redevelopment of site, comprising detailed application for Phase 1 and outline application for layout and access only for Phases 2 and 3 (scale, appearance and landscaping are reserved matters). Full details provided for Phase 1 comprising: up to 141 residential units (including up to 66 affordable units) in a 14 storey tower and 6 storey block, with 522.5 sq m of retail floorspace (Class A1) and 398.9 sqm of flexible commercial floorspace (Classes A1-A5 and B1) at ground floor and associated space for parking, plant, servicing, ancillary storage and energy centre at basement level. Phase 1 includes open space and landscaping, alterations to*

*existing highway layout and creation of new access routes, following demolition of the Belsize Road car park building. Phase 2 to comprise up to 2,500 sq m of community and health uses (Class D1) and up to 126sqm of office space (Class B1) in a two-storey building following demolition of existing high-level walkways. Phase 3 to comprise up to 85 residential flats in 6/7 storey blocks and 15 mews houses (including up to 48 affordable units), up to 120sqm of office space (Class B1) and up to 645sqm of flexible commercial floorspace (Classes A1-A5) and associated ancillary space for parking, plant and servicing in basement. Phases 2 and 3 include open space, landscaping, alterations to existing highway layout and new access routes. Phase 3 to follow the demolition of the Abbey Community Centre and Hinstock and Emminster blocks including Belsize Priory Health and Medical centre, residential and commercial units and site-wide walkways.*

- 4.6 On **27<sup>th</sup> November 2020** planning permission was granted **(20202486/P)** for "Construction of a new health and community centre (Use Class D1), relocation of existing residential car park, along with landscaping, associated access, demolition of link bridge between Phases 2 and 3 and cycle parking."

## **5 SHADOW SECTION 106 AGREEMENT**

- 5.0 The recommendations are based on certain planning requirements ("Heads of Terms") being secured in the event of approval. These Heads of Terms would usually be incorporated in a Section 106 Agreement. However in this case the applicant is the Council and as a matter of law the Council cannot enter into a Section 106 Agreement with itself.
- 5.1 Nevertheless it is still imperative that this application is dealt with in a way that is consistent with the way the Council would deal with non-Council applications. Therefore the Heads of Term will be embodied in a "Shadow Section 106 Agreement". This will be in the same form as a "standard" Section 106 agreement, incorporating the "usual" legal clauses and negotiated by separate lawyers within the Borough Solicitors Department representing the interests of the Council as landowner/ applicant and the Council as regulatory planning authority.
- 5.2 The Shadow Section 106 will include inter alia a provision requiring (i) that in the event of any disposal of the relevant land the Shadow Section 106 Terms will be included in the terms of the sale transfer and (ii) the purchaser will be formally required to enter into a Section 106 agreement as owner of the land at the point of acquisition (and hence its terms will thereafter bind the site).
- 5.3 Once the Shadow Section 106 Agreement has been finalised the Director of Development (the applicant department) will sign a letter formally undertaking on behalf of the department that its provisions will be complied with in the build out of the development and its subsequent operation.
- 5.4 The Shadow Section 106 Agreement and the Director of Development Undertaking of Compliance will be noted on the Planning Register (so the agreement is put on the record in the same way as a "standard" Section 106 Agreement) and compliance with the Shadow Section 106 will be tracked and monitored by the Planning



Obligations Monitoring Officers in Development Management in the same way as a “standard” Section 106.

## **6 CONSULTATION SUMMARY**

### **Statutory Consultees**

#### **6.0 Greater London Authority (GLA)**

- The mixed use scheme is supported in land use terms, subject to the Council securing affordable floorspace and suitable rent levels.
- Strongly support provision of affordable housing. Early and late stage reviews should be secured.
- No strategic concerns with regards to layout, scale, appearance and accessibility.
- The scheme will not harm any nearby heritage assets.
- The proposals are broadly in line with London Plan transport policies. An increase in active electric charging points is recommended. Do not support proposals to relocate local bus stop.
- Scheme meets urban greening and biodiversity requirements. Mitigation measures for flood risk and air quality should be secured by condition. Conditions on energy, whole life carbon and circular economy required.

*Officer's response:* Please refer to section 7 (Tenure and unit size mix of the proposed housing) for full assessment in relation to the affordable housing. Early and late stage reviews are secured via shadow section 106. The applicant has agreed to electric charging points for all spaces. The scheme has been amended, with the bus stop no longer needing relocation. See sections on ‘Air quality’, ‘Flood risk’ and ‘Sustainability design and construction’.

#### **6.1 Historic England (Greater London Archaeological Advisory Service (GLAAS))**

- No objection in principle but recommend the inclusion of a planning condition to safeguard the archaeological interest on the subject site (which is included).
- It is noted, if the condition is to not be imposed then the application would not comply with National Planning Policy Framework (NPPF) paragraph 205.
- Paragraph 205: Local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible 69. However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted.

#### **6.2 Thames Water**

- No objections subject to informatives on waste, trade effluent discharge and drainage serving kitchens in commercial premises.
- No objections regarding foul and surface water.
- Concerns have been raised regarding the ability of the existing water network infrastructure to accommodate the needs of the subject development proposal and with the site being located within 15m of strategic water mains and underground water assets. The concerns raised can be resolved by way of condition (condition included on water efficiency - 105litres/person/day, allowing 5 litres/person/day for external water use included).

### 6.3 Transport for London (TfL)

- No objections raised subject to written evidence being provided to TfL that Network Rail have approved the works, prior to their commencement, set out in this planning application as submitted.

Officer response: A condition is attached requiring Network Rail approval.

### 6.4 MET Police

- No objections raised subject to a condition that requires prior to construction proof that the plans can achieve secured by design accreditation to be submitted and approved by the local authority in consultation with the design out crime officer.

Officer response: An condition is attached accordingly.

### 6.5 Cadent Gas (a gas distribution network)

- No objections subject to informatives on gas infrastructure such as easements.

### 6.6 Health and Safety Executive (HSE) (Fire Safety Gateway One)

- No objections.

### 6.7 London Borough of Brent

- No objections.

### 6.8 City of Westminster

- No objections.

6.9 No responses received from other consultees.

### Local groups

6.10 No responses were received from local groups.

### Adjoining occupiers

6.11 6 site notices were displayed from the 17<sup>th</sup> of June 2022, expiring on the 11<sup>th</sup> of July 2022. A press notice was placed on the 23<sup>rd</sup> of June 2022 in the Ham and High.

6.12 One Comment was received from the owner/occupier of 135 Abbey Road:

- It is a real shame and disappointing to see that the council is only offering 36 flats as social housing despite such an increase in numbers.

Officer's response: Please refer to section 7 (Tenure and unit size mix of the proposed housing) for full assessment in relation to the affordable housing. In this phase 139 residential units are proposed with 93 private residential units, 36 social rent homes and 10 intermediate rent homes. As a result of all three phases, there are now 112 affordable units being provided, which is an uplift of 38 affordable units in the locality, as well as the health and medical centre.

## **7 POLICIES & GUIDANCE**

### **7.0 National Planning Policy Framework 2021**

### **7.1 First Homes Written Ministerial Statement dated 24<sup>th</sup> May 2021**

### **7.2 NPPG**

### **7.3 London Plan 2021**

### **7.4 Camden Local Plan (2017)**

- G1 Delivery and location of growth
- H1 Maximising housing supply
- H3 Protecting existing homes
- H4 Maximising the supply of affordable housing
- H6 Housing choice and mix
- H7 Large and small homes
- C1 Health and wellbeing
- C5 Safety and security
- C6 Access for all
- A1 Managing the impact of development
- A2 Open space
- A3 Biodiversity
- A4 Noise and vibration
- D1 Design
- D2 Heritage
- CC1 Climate change mitigation
- CC2 Adapting to climate change
- CC3 Water and flooding
- CC4 Air quality
- CC5 Waste
- T1 Prioritising walking, cycling and car-free development
- T2 Parking and car-free development
- T3 Transport infrastructure
- T4 Sustainable movement of goods and materials
- DM1 Delivery and monitoring

### **7.5 Supplementary Planning Guidance**

#### Camden Planning Guidance

- Access for all
- Air quality
- Amenity
- Basements
- Biodiversity
- Design
- Energy efficiency and adaptation
- Interim Housing
- Housing

Public open space  
Transport  
Trees  
Water and flooding

Planning Statement on the Intermediate Housing Strategy and First Homes  
(March 2022)

Mayor's Supplementary Planning Guidance

## ASSESSMENT

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

|    |  |
|----|--|
| 8  | <b>Land use principles</b> <ul style="list-style-type: none"><li>- Residential use</li><li>- Health and Community Centres</li><li>- Ground floor retail and commercial uses</li><li>- Loss of pub</li></ul>  |
| 9  | <b>Tenure and unit size mix of the proposed housing</b> <ul style="list-style-type: none"><li>- Policy review</li><li>- Affordable housing</li><li>- Mix of unit sizes</li></ul>   |
| 10 | <b>Amenity of proposed housing</b> <ul style="list-style-type: none"><li>- Policy review</li><li>- Design and layout</li><li>- External amenity space</li><li>- Daylight, sunlight and aspect</li><li>- Access and inclusive design</li><li>- Noise</li><li>- Conclusion</li></ul> |
| 11 | <b>Conservation and design</b> <ul style="list-style-type: none"><li>- Policy review</li><li>- Conservation</li><li>- Design</li><li>- Archaeology</li><li>- Conclusion</li></ul>  |
| 12 | <b>Trees and landscaping, open space and biodiversity</b> <ul style="list-style-type: none"><li>- Policy review</li><li>- Introduction</li><li>- Trees and landscape</li><li>- Open space</li><li>- Biodiversity</li></ul>   |
| 13 | <b>Amenity of neighbouring properties</b> <ul style="list-style-type: none"><li>- Policy review</li><li>- Introduction</li><li>- Light</li><li>- Privacy and outlook</li><li>- Noise</li></ul>   |
| 14 | <b>Air quality</b>   |
| 15 | <b>Sustainable design and construction</b>   |

|    |   |
|----|---|
|    | <ul style="list-style-type: none"> <li>- Policy review</li> <li>- introduction</li> <li>- The site and the proposal</li> <li>- Energy</li> <li>- Demolition</li> <li>- Sustainability</li> </ul>  |
| 16 | <b>Flood risk and drainage</b>  |
| 17 | <b>Transport</b> <ul style="list-style-type: none"> <li>- Policy review</li> <li>- Introduction</li> <li>- Trip generation</li> <li>- Car parking – policy</li> <li>- Car parking – proposals</li> <li>- Cycle parking</li> <li>- Deliveries and servicing</li> <li>- Managing and mitigating the impacts of construction</li> <li>- Highway works contribution</li> <li>- Public realm improvements</li> <li>- Conclusion</li> </ul> |
| 18 | <b>Safety and security</b>  |
| 19 | <b>Health and Equality Impact</b>   |
| 20 | <b>Refuse and recycling</b>   |
| 21 | <b>Planning obligations</b>   |
| 22 | <b>Construction phase employment and training</b>   |
| 23 | <b>Mayor of London's Crossrail CIL (MCIL2)</b>  |
| 24 | <b>Camden CIL</b>   |
| 25 | <b>Conclusion</b>   |
| 26 | <b>Recommendations</b>  |
| 27 | <b>Legal comments</b>   |
| 28 | <b>Conditions</b>   |
| 29 | <b>Informatives</b>   |

## 8 LAND USE PRINCIPLES

8.0 The principal land use considerations are:

- Residential use
- Health and Community Centres
- Ground floor retail and commercial uses
- Loss of pub

### Residential use

- 8.1 Camden Local Plan policies H1, H3, H4, H6, H7 and Camden Planning Guidance (Housing) are relevant with regard to the provision of housing, including affordable housing. There are 139 residential units proposed with 36 social rent homes, 10 Camden Living (intermediate rent) homes and 93 private residential units.
- 8.2 Residential use is the Council's priority land use and is welcomed in principle, in line with policy H1. The Council seeks to maximise the supply of new housing and the principle of housing on the site therefore complies with policy. The Housing Delivery Test (HDT) is an annual measurement of housing delivery in the area of relevant plan-making authorities introduced by the government. It measures whether planned requirements (or, in some cases, local housing need) have been met over the last 3 years. In 2020, the measurement for Camden was 79% - which means that Camden has to produce an action plan and apply a 20% buffer to our 5-year housing land supply. As such, there is a need to place significant weight on the provision of housing in decision making.
- 8.3 The original hybrid Abbey Co-op application proposed 66 affordable housing (social rented) units out of 141 residential units in Phase 1 - which have now been built out. This equated to 47% of the floorspace. The two consented residential phases (Phase 1 and Phase 3) had a 36% net additional housing affordable tenure. However, the approved outline Phase 3 is not being taken forward and this fresh application has been brought forward instead.

|                                     | Phase 3 hybrid application                 | Current Phase 3 application                                | Phase 1 hybrid application |
|-------------------------------------|--|--|----------------------------|
| Dwellings                           | 100  | 139  | 141                        |
| Affordable dwellings                | 48 (36 social rent/12 shared ownership)    | 46 (36 social rent/10 intermediate rent)                   | 66 (social rent)           |
| Total residential floorspace        | 8972sqm (GIA)                              | 12,871 sqm (GIA)   | 13,724 sqm (GIA)           |
| Total affordable housing floorspace | 4148 sqm (GIA)                             | 4660 sqm (GIA)   | 6423 sqm (GIA)             |
| Affordable floorspace               | 46% (36% social rent/11% shared ownership) | 36.2% (30.3% social rent, 5.9% intermediate Camden Living) | 47% (all social rented)    |

| Use                             | Affordable Housing |          |   |   |
|---------------------------------|--------------------|----------|---|---|
|                                 | By Unit            | Hab Room | By Floorspace exclusive of communal areas | By Floorspace inclusive of communal areas |
| Extant (All phases)             | 47%                | 49.2%    | 47%                                       | 47%                                       |
| Updated (All Phases)            | 40%                | 46.9%    | 43%                                       | 42%                                       |
| Phase 3 Proposed (individually) | 33%                | 41.1%    | 37%                                       | 36%                                       |

#### Health and Community Centres

- 8.4 The Health and Community Centres are being re-provided in purposes-built accommodation in Phase 2, which is nearing completion (see 'History'). It should be recognised in the decision making on this application that this 3 phased scheme was designed to deliver these new and improved community facilities alongside new housing. The cost of providing these community facilities has impacted on the amount of affordable housing which could be delivered.

#### Ground floor retail and commercial uses

- 8.5 Camden Local Plan policies TC1 and TC3 are relevant with regards retail, specifically shops outside of centres. Policy E9 of the London Plan seeks to protect neighbourhood shopping facilities.
- 8.6 There are nine commercial units at ground floor with a combined floor area of 835sqm, which are predominantly retail (Class E), but also include a pub (sui generis) and a hot food takeaway (sui generis). There is also a Tenant Management Organisation (TMO) using one unit, which was rehoused in Phase 1.
- 8.7 Under the proposals, 305.3sqm of flexible Class E floorspace would be provided at ground floor level. This floorspace would be provided at three units located beside the junction of Belsize Road and Abbey Road. There would therefore be a loss of 529.7sqm.
- 8.8 There is less demand for retail units, this was evident prior to the pandemic, but has been exacerbated/advanced by it, because of the strong move to online shopping, this is creating a challenge in established shopping areas and town centres. This is not in a town centre or neighbourhood centre and demand for retail space in this location is limited. This has been evidenced with a report on commercial space (Appendix D of the Planning Statement) has been submitted as part of this application which concludes that the existing amount of retail floorspace is unviable and uneconomic and that the proposed floorspace should not exceed 305sqm. Officers have reviewed the report and accept that this is not a viable location for a large amount of retail floorspace and the the proposed floorspace is appropriate. Retail floorspace (522.5sqm) was provided in Phase 1 of the Abbey Co-op development and is now occupied by a Sainsbury's Local supermarket which serves local need.

#### Loss of pub



- 8.9 Policy C4 of the Camden Local Plan seeks to protect pubs which are of community, heritage or townscape value. Policy HC7 of the London Plan seeks to protect public houses with heritage, economic, social or cultural value to local communities.
- 8.10 The pub on the site has no heritage or townscape value. The pub has not been designated as an Asset of Community Value. It would therefore be difficult to argue that the pub is of significant importance to the local community.
- 8.11 Officers recognise that pubs are important for local communities. It should be noted that the Phase 2 proposals will provide significant benefit to the local community with the re-provision of the Phase 3 community centre in new purpose-built premises. On balance, the loss of the pub unit is acceptable.

## **9 TENURE AND UNIT SIZE MIX OF THE PROPOSED HOUSING**

- 9.0 The considerations with regards to tenure and unit size and mix are as follows:

- Policy review
- Affordable housing
- Mix of unit sizes

### Policy review

- 9.1 Policies H1, H3, H4, H5, H6, H7 and CPG (Housing) are relevant with regards to new housing, including to tenure and unit size.
- 9.2 The National First Homes policy has now come into effect for developments that trigger an affordable housing contribution. First Homes are a new type of discount housing for sale. National policy indicates that First Homes should form 25% of the affordable homes sought in a development. However, the Council has adopted a Planning Statement on the Intermediate Housing Strategy and First Homes, which indicates that First Homes in Camden would not be affordable to median income residents, and consequently First Homes will not be sought in the borough. Having regard to the national and local policies relating to First Homes, the Council's preferred affordable housing types identified by Local Plan Policy H4 and CPG Housing 2021, and the particular circumstances of the application (which relates to the third phase of an estate regeneration scheme), the proposal for all affordable homes in Phase 3 of Abbey Co-op to be provided as social rented and intermediate housing is considered to be appropriate.

### Affordable housing

- 9.3 Under Camden Local Plan policy H4 and CPG Housing, affordable housing should be provided in schemes with a residential uplift over 100sqm GIA. The split of the affordable housing provided should be 60% social rented and 40% intermediate, which is in order to prioritise the provision of social affordable housing.
- 9.4 An affordable housing split of 78% social rented and 22% intermediate (based on floorspace) is provided within Phase 3 of this estate regeneration scheme. The affordable housing team were consulted and they provided comments that the proposed affordable housing split is considered acceptable in this instance, the larger proportion of social affordable rent units being welcomed. Also, the switch of

'intermediate' from Shared Ownership units which was approved under the original hybrid application, to Camden Living units, offered for Intermediate Rent is welcomed. This means the intermediate units will be genuinely affordable homes in line with the council's Intermediate Housing Strategy. The affordable housing will all be located in Block A. The architecture is 'tenure blind' in that the affordable housing block will be of the same architectural language and quality as the market blocks. The block layout is shown below:

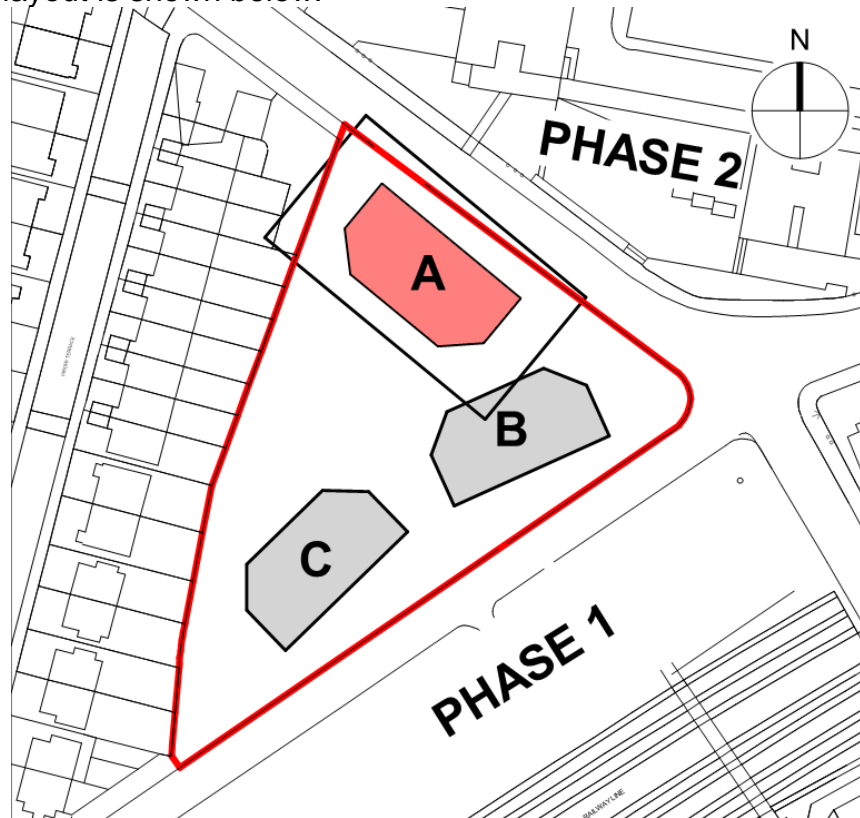


Figure 2: Block Plan Layout for Phase 3 as proposed

- 9.5 The affordable housing units (social affordable rented homes and Camden Living intermediate rent homes) will all be located in a separate block to the north of the site, as shown above, which is welcomed by the affordable housing team. This allows effective management of the block by Council, allowing the control of maintenance and service charges, keeping rents low. Across all three phases, this proposal would mean there are now 112 affordable units being provided, which is an uplift of 38 affordable units in the area.
- 9.6 The total floorspace of the development is 13,175.9sqm (GIA). The amount of floorspace required to be affordable, in line with the 50% requirement by policy, is 6,587.95sqm. The applicant has submitted a viability assessment with the scheme that states it is not feasible to provide 50% affordable housing, this has been independently reviewed (see from para 9.8).
- 9.7 The proposed 36 social affordable rent units and 10 affordable intermediate rent amount to 37% of the total floorspace. After negotiation between the local planning authority and the applicant, the affordable housing offer outlined in the hybrid consent was amended from 36 social affordable rent unit (skewed towards 1 and 2

beds) and 12 Shared Ownership units to 36 social affordable rent units (skewed towards 2 and 3 beds) and 10 intermediate rent units. Whilst the overall number of units decreases by two units, the offer is much improved with a housing mix that addresses need, focussing the social affordable rent units on family sized homes in line with policy H7 and the council's housing list priorities. Furthermore, the switch from Shared Ownership to Camden Living intermediate rent is far better from an affordability perspective, now providing genuinely affordable homes in line with the council's Intermediate Housing Strategy (it should be noted that at the time the hybrid permission was granted which included shared ownership, this was in line with policy in place at that time). This would mean that across all phases, the total affordable would be 42% by floorspace and 47% by habitable room, plus the Phase 2 health and community centre.

#### Viability

- 9.8 The Council's independent viability assessor, BPS, reviewed the submitted financial viability statement and agree that the proposed offer is the maximum affordable housing that can be provided in viability terms. Whilst there were some details that were not agreed between parties, the outcome nonetheless was that the scheme was in deficit with BPS noting the following:

*The appraisal summary and sensitivity analysis can be found in Appendix 2 and show the scheme produces a deficit of £9,138,444. We therefore conclude that the scheme would not be able to viably contribute towards or provide additional affordable housing.*

- 9.9 The table below summarises the outcome of the viability review.

| <b>Viability summary</b>              |                     |
|---------------------------------------|---------------------|
| Affordable housing floorspace (%)     | 37%                 |
| Benchmark Land Value (BLV)            | £1                  |
| Gross development value (GDV)         | £ 64,250,000        |
| Construction Costs                    | £ 52,522,801        |
| CIL and planning obligations          | £ 2,892,228         |
| Other costs (fees, disposal, finance) | £ 22,833,503        |
| Developer profit (% of GDV)           | 6%                  |
| <b>Residual Land Value</b>            | <b>-£ 9,138,444</b> |

- 9.10 A Deferred Affordable Housing Contribution (DAHC) would be attached to the shadow section 106, to ensure that more affordable housing would be provided should the scheme become more profitable in the future. Viability reviews will be used to take advantage of any improvement in the financial position and reduce the affordable housing shortfall, either by including additional affordable housing or through a deferred affordable housing contribution to deliver additional affordable housing on other sites in Camden.
- 9.11 Early and late-stage reviews would be secured via shadow section 106 agreement. These are in line with Mayoral Affordable Housing and Viability SPG 2017. To incentivise delivery Viability Tested schemes are subject to an early review which is

triggered where an agreed level of progress on implementing the permission has not been reached after two years of the permission being granted or as agreed with the LPA, and the Mayor where relevant (as it is here), on a site-by-site basis. This will follow substantial implementation, for example, following the completion of all ground preparation works, the foundations for the core of the development, and construction of the ground floor. If the agreed level of progress has been made, the review will not be triggered. Any deferred contribution arising from the two viability reviews will be capped at the point where overall provision, including on-site affordable housing, is equivalent to 50%.

- 9.12 The National First Homes policy has now come into effect for developments that trigger an affordable housing contribution. First Homes are a new type of discount housing for sale. National policy indicates that First Homes should form 25% of the affordable housing sought in a development, and that where a payment in lieu (PIL) is sought in place of affordable housing, 25% of the value should be used to deliver First Homes. However, the Council has adopted a Planning Statement on the Intermediate Housing Strategy and First Homes, which indicates that First Homes in Camden would not be affordable to median income residents, and consequently First Homes will not be sought in the borough. Having regard to the national and local policies relating to First Homes, any funds arising from PIL and deferred affordable housing contributions are expected to contribute to the Council's preferred affordable housing types identified by Local Plan Policy H4 and CPG Housing 2021, namely social-affordable and intermediate rented housing.

#### Mix of unit sizes

- 9.13 Policy H7 requires homes of different sizes. The proposed unit mix should broadly accord with the Dwelling Size Priorities Table in this policy, although the Council will be flexible when assessing development:

**Table 1: Dwelling Size Priorities**

|                          | 1-bedroom<br>(or studio) | 2-bedroom | 3-bedroom | 4-bedroom<br>(or more) |
|--------------------------|--------------------------|-----------|-----------|------------------------|
| Social-affordable rented | lower                    | high      | high      | medium                 |
| Intermediate affordable  | high                     | medium    | lower     | lower                  |
| Market                   | lower                    | high      | high      | lower                  |

|                          | 1-bed /<br>studio | 2-bed | 3-bed | Total     |
|--------------------------|-------------------|-------|-------|-----------|
| Social affordable rented | 7                 | 12    | 17    | <b>36</b> |
| Intermediate rent        | 2                 | 8     | 0     | <b>10</b> |
| Market                   | 45                | 48    | 0     | <b>93</b> |

- 9.14 As already explained, the mix across the affordable tenure split aligns with the table, concentrating on 2 and 3 beds for the social affordable rent units, and 1 and 2 bed sharer units for the intermediate rent. No 3-bedroom units are to be provided within the private market and intermediate units. The market housing addresses the 2-bed demand which can cater for smaller family units, but also has a similar number of 1

bed units which are lower priority. This is considered acceptable in this instance due to the fact there is currently a higher demand for 1- and 2-bedroom units post Covid due to the affordability crisis and the lack of housing in general. In addition the majority of the 2-bedroom units will cater for 4 persons with ample amount of space. Overall, the mix is acceptable and aligns with current demands and the guide mix set out in the development plan.

## **10 AMENITY OF PROPOSED HOUSING**

10.0 The considerations with regards to the amenity of the proposed housing are as follows:

- Policy review
- Design and layout
- External amenity space
- Daylight, sunlight and aspect
- Access and inclusive design
- Noise
- Conclusion

### Policy review

10.1 London Plan policies D5, D6, D7 and D14 and Camden Local Plan policies D1, H6, C5, C6 and A4 are relevant with regards to the amenity and accessibility of proposed housing.

### Design and layout

10.2 New development is expected to comply with the Nationally Described Space Standards, which are incorporated in the Local Plan. The minimum gross internal floor areas are set by the number of bedrooms and bed spaces/occupiers in each dwelling.

10.3 All of the proposed units have been designed to meet or exceed the Nationally Described Space Standards in terms of overall size and the internal space standard of individual rooms and storage areas.

10.4 The Mayor's Housing SPG outlines that where possible, the provision of dual aspect homes should be maximised in a development proposal. The majority (60%) of homes in the scheme are dual or triple aspect. For the remaining 40% single aspect homes, 91% of these homes have enhanced aspect with the introduction of bay windows which provide an alternative angled view out of living rooms and ensure the development would provide a good quality of outlook and ventilation for future residents. The layout optimises the use of the site, while balancing the site constraints and the need for high quality accommodation in an urban environment.

### External amenity space

10.5 Ground floor private amenity space is provided to flats in the form of inset balconies. These are lined with a defensible area in the form of hard and soft landscaping and railings. The northernmost and southernmost flats both have access to a private garden, only accessible directly from the flat itself. Balconies are provided for all

upper storey flats in accordance with London Plan Standards. All balconies are a minimum depth of 1,500mm to facilitate wheelchair turning.

- 10.6 The site is not located within an area of open space deficiency within the Borough and there is good access to public open space including the Abbey Road Phase 2 open space.
- 10.7 A condition is attached requiring detailed landscape plans to ensure the site – both public facing and private or communal amenity space – is well designed with robust and resilient planting.

#### Daylight, sunlight and aspect

- 10.8 To assess the daylight and sunlight serving the proposed dwellings, an internal daylighting assessment was undertaken using the BRE 2011 methodology which was in place at the time the scheme was designed and submitted. An addendum to this report was submitted later, given the changes to BRE guidance (2022) with regards to internal daylight standards. The Average Daylight Factor (ADF) test was used to assess the daylight amenity to all habitable rooms. Where there are open plan living/kitchen/dining rooms with kitchens in the rear of the space, the assessment notionally truncated the room to exclude the kitchen area, so that the remaining living/dining area was assessed, as kitchens tend to be supplemented with task lighting.
- 10.9 The assessment demonstrated that in Block A, 106 out of 163 rooms would meet ADF guidelines, in Block B, 126 out of 152, and in Block C, 62 out of 82 rooms, to give a total of 294 out of 397 rooms (74%) meeting guidelines. Where rooms do not meet the criteria, this is due to design factors such as deep room floor plates where it is challenging to allow light to reach the back of the room, and in rooms where there are balconies directly above. Under the new BRE guidelines, the majority of rooms would still meet guidelines despite the more stringent tests, but the figure falls to 67% compliance. There is a balance to be struck between the private outdoor amenity space, and access to natural light and so a compromise for those shortfalls in providing balconies is considered appropriate in this case.
- 10.10 The No-Sky Line (NSL) test was also used which calculates the distribution of daylight within rooms by determining the area of the room at desk / work surface height which can and cannot receive a direct view of the sky and hence skylight. The assessment showed that 125 out of 163 rooms in Block A would meet guidelines, 102 out of 152 rooms in Block B and 54 out of 82 rooms in Block C, to give a total of 281 out of 397 rooms (71%). Again, most of the rooms which do not meet guidelines are due to deep room plans and inset and projecting balconies providing outdoor space. In response to this, flat layouts have been designed so that where possible, bedrooms have been put in these locations as they are less reliant on daylight.
- 10.11 To assess sunlight, the Annual Probable Sunlight Hours (APSH) test was used, which showed that 18 out of 57 rooms in Block A, 42 out of 44 rooms in Block B and 20 out of 25 rooms in Block C would meet the guidelines (a total of 63%).

10.12 It is acknowledged that not all rooms would meet the daylight and sunlight requirements set out in the BRE methodology; however, the Council's Amenity CPG notes that the intentions of the BRE guidance is to provide advice to developers and decision makers and therefore it should be regarded as a guide rather than policy. It goes on to note that while the Council supports the aims of the BRE methodology for assessing sunlight and daylight we will consider the outcomes of the assessments flexibly where appropriate, taking into account site-specific circumstances and context. The BRE guidance itself recognises that the targets used should be applied flexibly and based on context. To enable new development to respect the existing layout and form in some historic areas, or dense urban environments, it may be necessary to consider exceptions to the recommendations cited in the BRE guidance.

10.13 Considering the location, orientation and aspect of the proposed flats, alongside their well-designed and generous layouts, it is considered that they would receive sufficient levels of light and would benefit from good outlook, and as such, would provide a good standard of accommodation for future residents. It should be noted that the proposals were designed and substantially progressed before the new BRE guidelines came into force. Full compliance with these standards would result in a substantial reduction of housing being secured, including affordable housing, and a far less efficient use of the site. Even the new BRE guidance issues lower targets in the UK Annex (to the British Standard) recognising that in make situations in the UK such as denser urban environments, attaining the full standards would compromise effective use of sites and housing delivery. The proposals have been designed to maximise the amenity of the occupants of the proposed flats and the daylight figures for the internal rooms are considered acceptable within an urban setting. Nonetheless, updated testing was performed under the new guidance as a comparison. Whilst there were still fails in meeting the targets, there were nonetheless compliance levels of almost 70% across the scheme. This is considered adequate and in line with the advice in the NPPF.

#### Access and inclusive design

10.14 New build residential developments must comply with the access standards in Part M of the Building Regulations. This includes parts 1 (Visitable dwellings), 2 (Accessible and adaptable dwellings) and M4 (3) wheelchair user dwellings.

10.15 The Council expects all new build housing development providing 10 or more units to meet a requirement of 90% M4(2) accessible and adaptable dwellings and 10% M4(3) wheelchair user dwellings. A proportion of the M4(3) units should be Fully Accessible (M4(3)(2)(b), (fully fitted out with level access shower, rise and fall kitchen units and lift if above ground floor), and a proportion should be Adaptable (M4(3)(2)(a), (capable of being made into wheelchair unit without any structural changes).

10.16 The development would provide a total of 15 wheelchair units (category M4(3)) across all tenures, which equates to 10.79% of all units, in accordance with requirements. Camden Living tenure and Social Rent tenure Wheelchair dwellings are proposed in Block A, Private Sale Wheelchair dwellings are provided in Blocks B and C.

10.17 Category M4(3) Social Rent & Camden Living (Affordable Rent) units are to be designed, built and fitted-out as Wheelchair Accessible Dwellings to comply with Building Regulation M4(3)(2)(b). Category M4(3) Private Sale units are to be designed and built as Wheelchair Adaptable Dwellings to comply with Building Regulation M4(3)(2)(a). All remaining units are to be Category M4(2). Conditions are recommended securing the above (condition attached).

#### Noise

10.18 An acoustic report has been submitted in support of the application which considers the background noise environment and external building fabric to ensure future residents did not suffer from undue noise disturbance.

10.19 The assessment identifies that the nearest major source of groundborne vibration appears to be the railway which runs in excess of 50 metres to the south-east of the site. Given the development site's distance from the railway lines it is not anticipated that groundborne vibration due to train passbys would be detectable at the development site, and re-radiated noise from rail activities are expected to be significantly below normal levels.

10.20 Noise monitoring was also undertaken at the site in order to inform glazing requirements to ensure suitable internal noise levels are achieved at the site in accordance with British Standards and WHO guidelines.

10.21 The assessment has been reviewed by the Council's Environmental Health Officer who confirms that there would not be a negative impact on the amenity of residential receivers in respect to noise, provided that mitigation measures as specified in the submitted assessment report are carried out. The officer is satisfied that the submitted acoustic submission meets local plan guidelines and is therefore acceptable in environmental health terms.

10.22 Compliance with the Council's requirements for internal noise standards shall be secured by condition attached.

#### Conclusion

10.23 Overall, the proposed flats are good quality units that carefully balance the needs of aspect, outlook, internal light levels, noise and amenity space. They would provide a good quality of accommodation for future residents, in accordance with London Plan policies D5, D6, D7 and D14 and Camden Local Plan policies D1, H6, C5, C6 and A4.

## **11 CONSERVATION AND DESIGN**

11.0 The conservation considerations are follows:

- Policy review
- Conservation
- Design
- Archaeology
- Conclusion



### Policy review

- 11.1 Policies D1, D2 and CPG (Design) of the Camden Local Plan are relevant to conservation and design. Sections 16, 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (“the Listed Buildings Act”) are relevant with regards to impacts on heritage assets. Section 72(1) requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area and the setting of listed buildings when considering applications relating to land or buildings within that area. The effect of this section is that there is a statutory presumption in favour of the preservation of the character and appearance of Conservation Areas and Listing Buildings. The NPPF provides guidance on the weight that should be accorded to harm to heritage assets and in what circumstances such harm might be justified (section 12).

### Conservation

- 11.2 The application site is not within a conservation area, although the Priory Road CA immediately abuts the site. The South Hampstead CA, Alexandra Road CA and St John’s Wood CA are also within the immediate vicinity of the site and their settings will be affected by the proposals, to varying degrees. The Grade II\* Alexandra Road Estate and the Grade II listed St Mary’s Church and Church Hall are also nearby.
- 11.3 Heritage views were assessed to ensure the impact on conservation areas was minimised and in harmony with the context. Whilst the proposal will be visible from different viewpoints, the mass and overall architecture have been located and developed to sit comfortably within its local context and townscape. The tall element will appear close to the existing cluster of tall buildings, minimising the visual impact onto the conservation areas. The design and architecture details help to visually integrate the buildings into the local character.
- 11.4 The Priory Road CA would be most impacted by the development given it lies adjacent to the site. The significance of this CA lies in its 19th Century, residential character and its use of traditional building materials and design. The proposals will be larger in scale than the predominant character of the CA, but the massing has been stepped away from the CA to minimise the impact. The proposed materials of the development are sympathetic to the material palette found within the CA. Taller buildings are already apparent from within the CA and the proposals will have a limited impact on the significance of the CA in this regard.
- 11.5 The other neighbouring CAs and nearby LBs will be impacted upon as a result of the proposals, but only marginally. The proposed design and use of sympathetic materials ensure that the impact of the proposals on the surrounding designated heritage assets is marginal, given the existing context. The limited impact does not harm the conservation areas, their setting, or the setting of any listed buildings. Consequently, their special character and appearance is preserved and no harm has been identified.

### Design

## **Context**

- 11.6 The site is of triangular shape and is bound by three sides: Abbey Road to its north-east edge, Belsize Road to its south-eastern edge and the back of properties along Priory Terrace to its west. Each of these sides has a different character.
- 11.7 Abbey Road is a busy vehicular road that runs north-south. The area directly opposite the site along Abbey Road accommodates Snowman House and Casterbridge House, two 20 storey towers built in the 70s and surrounded by a large open space.
- 11.8 Belsize Road is a busy vehicular road with various bus routes which runs east-west. The area directly opposite the site accommodates Phase 1 of the development, which comprises a tower of 14 storeys at the Belsize Road and Abbey Road junction and 6 storeys along Belsize Road.
- 11.9 The western edge of the site shares its boundary with the gardens of properties along Priory Terrace, which are part of the Priory Road Conservation Area, characterised by houses of 4-5 storeys in height. The properties of Priory Terrace are in average located 18m away from the site boundary.
- 11.10 The surrounding context is characterised by buildings of predominantly 3-4 storeys with the exception of Phase 1 and the Casterbridge and Snowman House. The predominant building material in the surrounding areas, and in the adjacent conservation areas, except the Alexandra Road estate, is brick and render and ranges in colour from red and light earthy colours, to white.

## **Demolition of existing building**

- 11.11 The Design Review Panel considered that there was some quality in the architecture of the existing buildings on site. Whilst officers recognise this, the principle of the demolition of the existing buildings was established under the previous hybrid permission. The retention of the existing buildings would not allow for an increase in housing on the site or the provision of the open space. The demolition of the existing buildings is considered acceptable given the architectural quality of the proposed buildings (as discussed below).

## **Block distribution**

- 11.12 The proposed scheme consists of three main blocks located along the Abbey Road and Belsize Road edges and positioned around a shared communal courtyard that faces the back of Priory Terrace. This block distribution allows the creation of a defined street edge along the main roads and to set the buildings away from the residential properties of the Priory Road Conservation Area.
- 11.13 The three blocks are rotated at an angle to set them back from the streets and provide further areas of public realm, also increasing the level of privacy for future residents. In addition, the location and rotation of the blocks successfully deals with maintaining access to daylight and sunlight to existing dwellings and gardens by maintaining at least 18m distance between the proposed development and the surrounding properties.

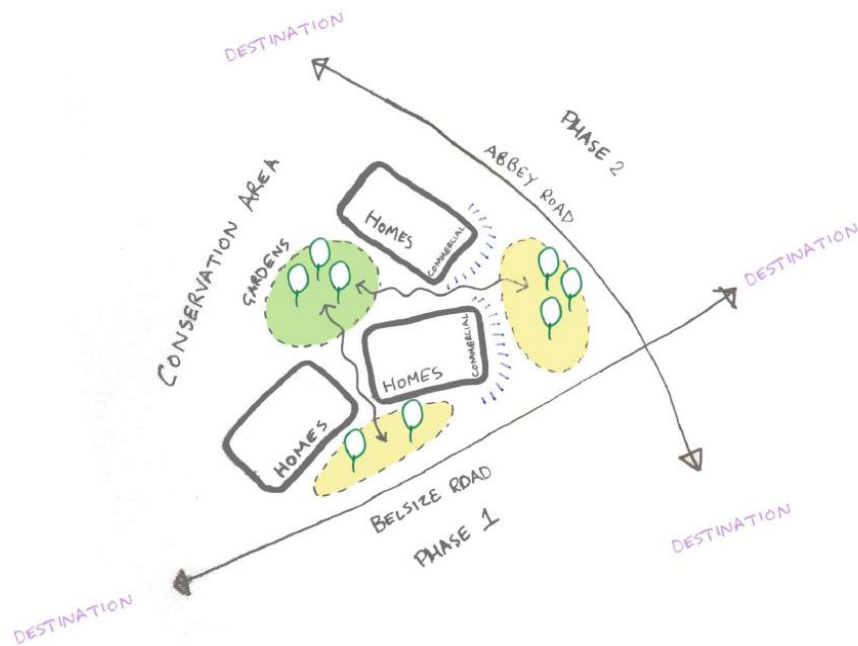


Figure 3: Design concept of the proposals

11.14 Previous iterations of the design, including the previously approved scheme, all focused on proposing a linear perimeter block wrapping around a shared courtyard and fronting Abbey Road and Belsize Road. The current proposal works better as the gaps between the various blocks break the linearity and massing of the building, allowing views into the courtyard, and references the semi-detached character of buildings in the surrounding area. Breaking the perimeter block also increases the number of dual aspect homes as well as daylight to the proposed homes and gardens.

### Mass and scale

11.15 The mass and scale of the development have been developed and distributed across the site to respond to the surrounding context and minimise the impact on the conservation areas: blocks are lower when close to Priory Terrace and step up in height when moving away from it. They range from 4 and 6 storeys along the conservation area boundary and step up to reach 11 storeys at the Abbey Road and Belsize Road junction. The taller elements would contribute to the cluster of tall buildings concentrated around the junction, where the Phase 1 tower and Casterbridge and Snowman House are also located.

11.16 Steps within each block have been introduced to respond to site constraints: Block A is composed of 6 and 9 storeys, Block B of 7 and 11 storeys and Block C of 4 and 6 storeys.



Figure 4: Aerial view of the proposals



Figure 5: Sections through the proposed development in context



11.17 Chamfered corners to the elevations facing the garden have also been introduced on each block to further reduce the massing. In addition, these chamfers improve the sunlight into the garden and reduce overlooking by increasing the distance between the blocks and directing views away from homes. This move also has benefits for the neighbouring properties assuring them access to sunlight.

### Layout

11.18 The proposed development is predominantly residential with some commercial uses. The ground floor comprises a mix of residential and non-residential uses which have been located to minimise dead frontage and provide activity and overlooking onto the street and communal garden.



Figure 6: Proposed ground floor plan

11.19 There are three commercial units located on the corners of Blocks A and B that open up onto an improved public space at the junction of Abbey Road and Belsize Road. The commercial activity is positioned on the busiest corner of the development and addresses the space with spilling out activity and active frontages.

- 11.20 There are eight residential units at ground floor that are located either facing the street or the garden. Six are south facing flats within Blocks B and C and face onto Belsize Road. The public realm areas between the buildings and the street create a buffer zone to allow for more distance and privacy for the residents. Two homes are located within Block A and face the communal garden and Abbey Road, providing overlooking onto the shared courtyard.
- 11.21 Residential entrances are located in the middle of each block and extend all the way through to the communal courtyard, creating visual permeability and a direct relationship between the street and the more private garden. An external garden entrance positioned between Blocks A and B allows access to the communal space directly from the public space at the junction.
- 11.22 Whilst the ground floor has been designed to reduce blank frontage as much as possible, it also accommodates less public facing uses such as refuse, plant and cycle stores. An outbuilding with plant and an additional cycle store is located on the south-west corner of the development, away from the courtyard activity.
- 11.23 The upper floors accommodate residential uses only. Each block is organised in a similar manner and follows roughly the same layout, with the core located in the middle and facing onto the communal garden at the back. Homes are accessed via lifts and stairs from the core and through a linear corridor that connects all the flats in each floor.
- 11.24 In a typical upper floor, no more than seven homes are located per floor per block. On the upper floors, where each block steps up and becomes half the size, the distribution of flats follows the same layout principles to the floors below, but with three to four homes per floor.



*Figure 7: Proposed typical upper level plan*

- 11.25 Private amenity within the proposed development comes in the form of private balconies for each home. At ground floor and on the elevations facing the street, inset balconies are provided to increase the levels of privacy and make them more comfortable for use whilst projecting balconies are proposed on the facades facing the garden, increasing overlooking onto the space for safety and security.
- 11.26 In addition to the communal garden, between the new buildings and the Priory Road Conservation Area boundary, outdoor areas surrounding the development but within the site boundary also provide public space, with improved landscaping and new planting.

### **Detailed design**

- 11.27 The proposed architectural strategy treats all three blocks in the same style, highlighting they all form part of a unified scheme. The overall architecture and appearance of the development takes reference from the character of the surrounding buildings through the use of materials, the proportions, the colours and details.

- 11.28 Some of the features common to all the blocks are the building façades which are broken into a clear base and a top to reference similar features found in the Priory Road Conservation Area. Whilst the architectural language is applied through the whole scheme, there are differences in the façade treatment, depending on their location and orientation.
- 11.29 On the elevations facing the street, inset balconies animate the facades and provide semi enclosed amenity spaces, mitigating noise pollution from traffic and reducing overheating. They also create a buffer to limit possible overlooking from neighbouring properties along Abbey Road and Belsize Road. In addition, bay windows with split windows are introduced on each floor facing the street to provide a secondary aspect and to reduce the amount of glazing and overlooking from neighbours. Projecting balconies animate the facades on the higher levels.
- 11.30 The solid to void ratio on the rear/garden elevations is larger than on the street elevations to reduce overlooking to neighbours. This is achieved through raised window sills in bedrooms and smaller window openings. The chamfered corners on the garden elevations help reduce the massing and increase sunlight into the communal space. In the garden elevations, balconies are overhanging and provide overlooking onto the shared space.
- 11.31 Despite the improvements of making the ground floor as active as possible, the garden elevations are characterised by an large amount of blank frontage where the cycle store, bin store and plant are located. To create visual interest and a sense of activation, patterned metalwork to cycle stores, texture and green panelled entrances similar to those on the street elevations are added to the ground floor garden facades.
- 11.32 The proposed material palette is simple and applied through the whole development. The main material is a textured light brick with pink tones, intended to sit between the light pastel and hearty tones of the Priory Road Conservation Area, with its predominant use of brick and light stucco, and the darker red and purple bricks of Phase 1.
- 11.33 The proposal is made of predominantly one tone (light with pink tones) which is applied to all the building elements such as the bricks, the mortar, the metalwork, the soffit and the pipes. The layering and hierarchy of these elements would bring visual interest to the development.
- 11.34 Other colours are introduced to reference elements of the local context and to increase legibility and wayfinding within the development. For example, the window frames are designed to be white to reflect sash windows found in the area while the main building entrances will be of a dark green glazed brick to create contrast with the overall pink tones of the buildings. The use and tone of the proposed bricks and other materials is successful in integrating the new development into the character of the area.





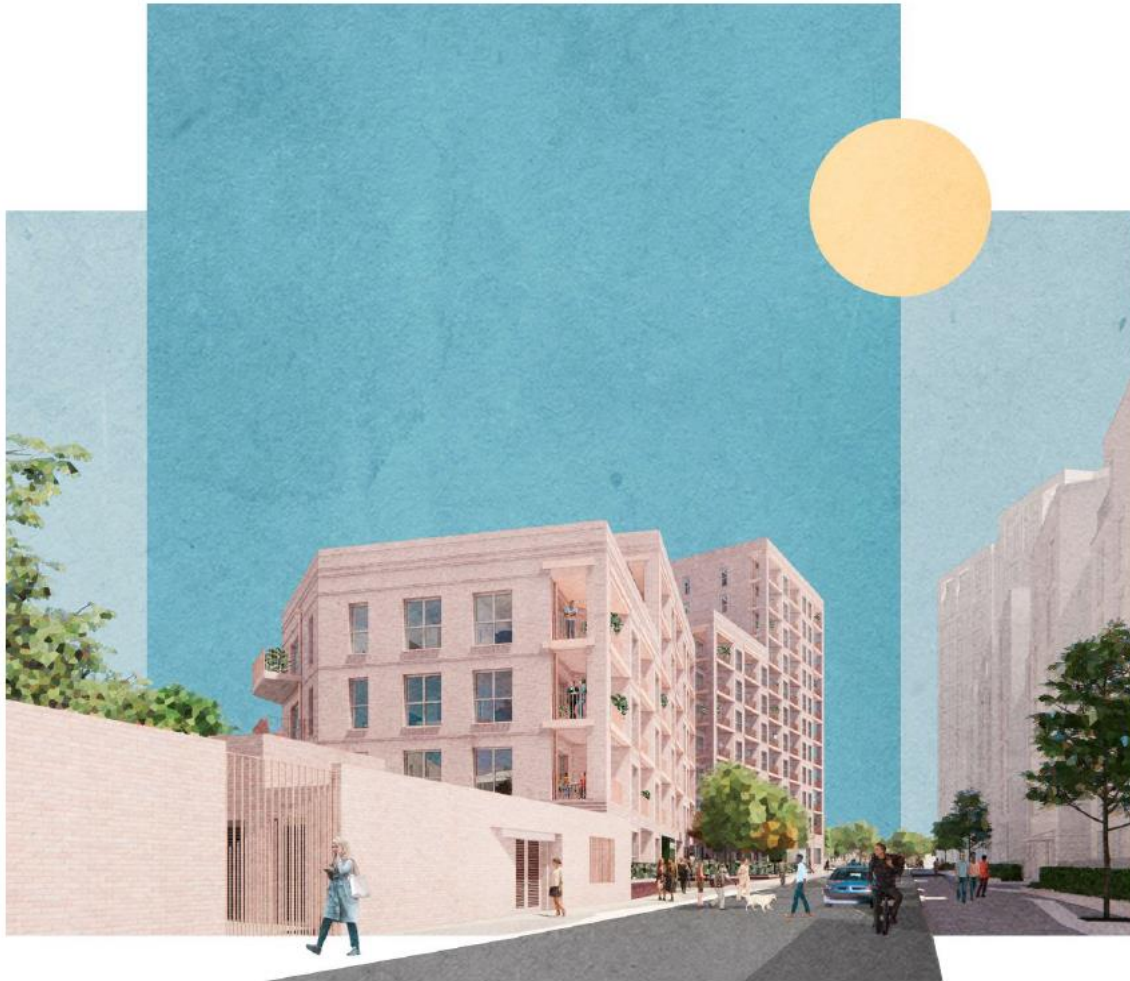
*Figure 8: Building façade facing the street*

- 11.35 A plant enclosure is located on top of Block A and services the whole development. This has been designed to fit in with the overall development and not be visually intrusive.
- 11.36 The proposed development would be visible from multiple points within the surrounding area and its impact on long and more immediate views has been taken into account throughout the design process; in particular, on views approaching the site from the junction, along Abbey Road and Belsize Road and from conservation areas.
- 11.37 The eleven-storey tower of block B is most visible from the Belsize Road and Abbey Road junction but also appears on longer views approaching the junction. At this location, the tall element is prominent, with inset balconies articulating its corner. The proposal steps down on either side towards the edges of the site to respond to the lower context of the conservation areas. In this view, the public space with improved landscaping and retained mature trees created by the buildings' set-back is visible.



*Figure 9: View of development from the junction*

- 11.38 Looking eastwards along Belsize Road, the proposed development steps up in height as it reaches the junction and moves away from the conservation areas, similarly to the buildings of Phase 1. The blocks are set back from the street to create new planted public realm areas and increase the breathing space for the new ground floor homes as well as for pedestrians. The ground floor facing Belsize Road accommodates the residential entrances of Blocks B and C and the upper floors are animated by the inset balconies.



*Figure 10: View of development along Belsize Road*

11.39 Walking southwards along Abbey Road, the development steps up in height towards the junction and fronts the Snowman and Casterbridge House towers. Similarly to the Belsize Road frontage, the buildings are characterised by inset balconies for increased privacy and bays to provide additional aspect and reference the architecture of properties along Priory Terrace.





*Figure 11: View of development along Abbey Road*

11.40 In the view from the communal garden, all three blocks framing the outdoor space are visible. The elevations fronting the garden are chamfered and have a different architectural language to respond to rear elevations of the houses on Priory Terrace, with smaller openings. The projecting balconies allow residents to have a more direct relationship with the garden.



*Figure 12: View of development from the shared garden*

11.41 Overall, the proposed scheme is considered to successfully respond to the constraints and opportunities of the site as well as the brief. The buildings have been designed to sit positively within their context, addressing the different characters surrounding the site and referencing the architecture of the area. This is a high quality scheme which will positively add to and complete the wider Abbey redevelopment, enhancing the street scene and public realm.

### **Design Review Panel (DRP)**

11.42 The project has been presented to the DRP three times: in December 2020 and December 2021 for full reviews and in March 2022 for a Chair's Review. A summary of the Panel's main comments and how these have been addressed by the design team is provided below.

#### **11.43 Meeting 1 – 18<sup>th</sup> December 2020**

- The Panel recognised some of the positive qualities of the existing buildings and asked the applicant to ensure all options for retention and adaption of existing buildings have been fully explored.
- One of the main concerns regarded the density and scale of the proposals and the impacts it would have on the neighbouring properties and on the streetscape. In particular, height close to properties of Priory Road Conservation Area was considered detrimental and a smoother transition between scales more appropriate.

- The Panel also questioned whether the perimeter block typology was an appropriate one for the location as it would create a canyon effect on Belsize Road and was generally not compatible with a tower element. It suggested to look at other typologies such as the mansion block to reference the Victorian and more historic context as well as break up the mass.
- The Panel praised the proposed walled garden approach but were concerned the shared garden would not be large enough to accommodate all residents and that it would be overshadowed much of the day.

#### 11.44 Meeting 2 – 3<sup>rd</sup> December 2021

- The Panel praised the changes made by the proposal in terms of site layout, massing and architecture and suggested that, with consideration of detail design and some amendments, it could lead to a high quality development.
- Whilst the mass and scale and the overall distribution of height was considered much improved, there was some concern that Block A was still too tall in relation to the houses on Priory Terrace.
- The Panel was very satisfied by the change from perimeter block to a mansion block typology. There were some minor comments on how to improve gaps between buildings, such as the links between each blocks.
- The architecture of the proposal was broadly supported and considered to have the potential to deliver a high quality development. In particular, the Panel encouraged to enrich the architectural detail to ensure the team's design ambitions. In addition, the retention of the current design team was considered key in the delivery of a high quality scheme.
- More work on the ground floor design was suggested to further activate the base of the building and distinguish it from the floors above.
- There were suggestions that buildings should relate further to the architecture of the area and the mansion block designs through the detailed design.
- The Panel encouraged the team to consider different architecture treatments for facades facing the streets and those facing the communal garden. The Belsize Road frontage is considered flat and risks creating a canyon effect on Belsize Road, and introducing variety and façade articulation through inset balconies or bay windows was recommended.
- Suggestions on how to improve internal layouts were also made, such as improving north-east facing single aspect units through inset balconies and generally better consideration of balconies, in particular for Block A.
- The Panel supported the overall landscape designs and made some comments on refining the layout, increasing play areas within the communal garden and on the location of some of the planting, such as making full use of roof space and integrating use of SuDS into the scheme.

#### 11.45 Meeting 3 – 11<sup>th</sup> March 2022

- The Panel was pleased by the updated design proposals and thought the proposals had the potential to create a high quality development.
- In particular, it was considered some moves such as the introduction of inset balconies and the slight pivoting of Block A would create a significantly improved quality of north-facing units. The different treatments for the street and garden facades was also considered successful.

- The Panel suggested that the design detail should be enhanced and refined to create further articulation and joy and suggested different ways this could be achieved. For example, through different types of brick treatment, through more definition of the bays or through variation in the roofline of Block A.
- The Panel felt that the junction of Blocks A and B required a more robust and celebratory approach to highlight its significance as the main entrance into the development. Generally, the design of the railings in the gaps between each block should be further considered.
- The Panel raised the question, similarly to the previous review, of whether ground floor flats should have individual doors rather than being accessed via the communal entrance.
- The Panel was impressed by the quality of the proposed shared residential amenity space and highlights the importance of maintaining the funding and the current landscape architecture team to ensure quality during construction and longer term.
- The Panel suggested further thinking was needed on the small areas of open space at the north-west end of Block A and the south-west end of Block C to ensure their quality.
- The Panel was pleased with the sustainability strategy and encouraged to make as much use as possible of the roof space.

#### Archaeology

- 11.46 The site is located within an Archaeological Priority Area. An Archaeological Assessment has been submitted as part of this application.
- 11.47 The Greater London Archaeological Advisory Service were consulted and raised no objection in principle but recommend the inclusion of a planning condition to safeguard the archaeological interest on the subject site as stated in section 5 of the report (condition attached).

#### Conclusion

- 11.48 The proposals have been designed to fit in with their context and minimise the impact on the neighbouring conservation areas. The proposals are well laid-out, of an appropriate scale, with quality materials employed and good detailing.

## **12 TREES, LANDSCAPING, OPEN SPACE AND BIODIVERSITY**

- 12.0 The nature conservation, landscape and biodiversity considerations are follows:

- Policy review
- Introduction
- Trees and landscaping
- Open space
- Biodiversity

#### Policy review

- 12.1 Camden Local Plan policies A2 (Open space) and A3 (Biodiversity) and Camden CPG Biodiversity seek to protect existing trees, secure additional trees and vegetation and to protect and promote biodiversity.

### Introduction

- 12.2 An Ecological Impact Assessment, landscaping plans and an Arboricultural Impact Assessment were submitted as part of this application. A Biodiversity Officer and a Tree and Landscape Officer have reviewed these documents.

### Trees and landscaping

- 12.3 The blocks are set back from the street to create new planted public realm areas and increase the breathing space for the new ground floor homes as well as for pedestrians.
- 12.4 There are currently 18 trees on the site. The arboricultural report submitted with the application contains a tree survey in line with BS5837:2012 – “Trees in relation to design, demolition and construction” which has categorised all trees included within the application site as follows:

| <b>Tree grade</b> | <b>BS5837:2012 definition</b>  | <b>No. of trees</b> |
|-------------------|--|---------------------|
| A                 | High quality, est. remaining life span of >40 yrs                        | 2                   |
| B                 | Moderate quality, est. remaining life span of >20 yrs                    | 7                   |
| C                 | Low quality, est. remaining life span of >10 yrs or below 150mm diameter | 9                   |
| U                 | Poor quality, est. remaining life span of <10 yrs                        | 0                   |
|                   | <b>TOTAL</b>   | <b>18</b>           |

- 12.5 Of these 18 trees, the scheme proposes the removal of 14. The categorisation of these trees is as follows:

| <b>Tree grade</b> | <b>BS5837:2012 definition</b>   | <b>No.</b> |
|-------------------|---|------------|
| A                 | High quality, est. remaining life span of >40 yrs                           | 0          |
| B                 | Moderate quality, est. remaining life span of >20 yrs                       | 5          |
| C + U             | Low quality, est. remaining life span of >10 yrs or below 150mm in diameter | 9          |
|                   | <b>TOTAL</b>  | <b>14</b>  |

- 12.6 Most (65%) of the trees proposed for removal are cat. C (9 trees) which are not considered to be a significant constraint on development in line with BS5837:2012. The remaining 5 trees proposed for removal are all cat. B. Overall there would be a temporary impact from the removal of trees before new trees had been planted and become established. The proposals have been designed to fit in with their context and minimise impact on neighbouring occupiers, while providing a high level of amenity to future occupiers. The retention of these cat. B trees would have had substantial design consequences and not allow the provision of this number of dwellings or this amount of open space.
- 12.7 The applicant has proposed 38 replacement trees giving a net gain of 24 trees on the site.



- 12.8 While there would be a significant impact on local tree cover in the short-term, including the loss of 5 category B trees, the net gain of trees and redevelopment of the site landscaping would ultimately mitigate this loss and improve the local amenity.
- 12.9 While proposed numbers of replacement trees are considered to be sufficient, details of species and size have not been submitted, this will be secured by way of a landscaping condition in order to ensure that the species and size of tree replacements are sufficient and optimise the biodiversity of the site.
- 12.10 All category A trees which are the highest quality trees with the longest life span are to be retained, as are 2 of the category B trees. The arboricultural method statement and tree protection plan included in the Arboricultural Impact Assessment Report are in line with BS5837:2012 "Trees in relation to design demolition and construction". The recommendations are sufficient to demonstrate that trees to be retained will be adequately protected. It is recommended that a condition is added to any approval to ensure implementation of the Arboricultural Method Statement and Tree Protection Plan.

#### Open Space

- 12.11 There is no 'designated' open space existing on the application site. The privately managed outdoor area and publicly accessible community garden at the subject site are being relocated to the Phase 2 development site.
- 12.12 The majority of the existing site is developed or hard landscaped. The proposed redevelopment scheme includes 1,830sqm of private open space, located towards the western boundary.
- 12.13 The private open space will create a green buffer zone to the residential dwellings located on the eastern side of Priory Terrace, which will minimise any such adverse impacts such as loss of light and privacy. In addition, the private open space area will receive very well-lit afternoon sun for residents to enjoy which creates better amenity outcomes on-site, good health and wellbeing for residents of the estate.
- 12.14 The proposal will accommodate at least 675sqm of playspace within the proposed private open space. This is in line with the requirement set out by the Child Yield Calculator for the GLA.
- 12.15 The playspace provision throughout the private open space will cater for a wide range of ages. There will be designated areas of equipped play elements within the landscape alongside interspersed natural play features such as, log piles, play boulders and rolling level changes.
- 12.16 The private open space is intended to be multigenerational in its distribution of play, the equipped areas and areas intended for younger groups are positioned within the centre of the site with unprogrammed open recreation meadow areas to the higher terrace and tucked into the habitat-rich rain garden area to the lower terrace.



1. GARDEN OF TERRACE COURTYARD
2. STREET FRONTAGE COMMERCIAL SPILL OUT
3. CENTRAL HARD LANDSCAPE SEATING/SOCIAL AREA
4. PROGRAMMATIC PLAY SPACE
5. STEPPED LANDSCAPE PROVIDING LEVEL CHANGES
6. STANDARD CYCLE STORAGE/SUBSTATION
7. CARGO BIKE STORAGE
8. ACCESS TO COURTYARD
9. ARRIVAL THRESHOLDS TO BLOCKS
10. DEFENSIBLE SOFT LANDSCAPE
11. ABBEY AREA PHASE 2
12. DROP-OFF/LOADING BAY & DISABLED PARKING
13. RAIN GARDENS
14. EXISTING TREES RETAINED
15. ABBEY AREA PHASE 1

*Figure 13: View of development from the shared garden*

- 12.17 Social gathering spaces for older children are located centrally within the private open space area to the hard landscape areas, tree planting providing shelter and a focal point.
- 12.18 The previous phases of the Abbey Co-Op masterplan applications contributed significantly to qualitative improvements in public open space and an increase in open space of 78sqm (with a car park given over to public open space). This phase follows on from this and provides high quality open space and public realm which is a significant improvement over the current stark environment. The previous improvements to public open space met the requirements of open

space policy and there is no requirement to meet open space under this application.

#### Biodiversity

- 12.19 The proposal includes uplighters to illuminate the trees. This is inconsistent with Council's biodiversity (and amenity) planning guidance. The 'Type A' luminaire proposed has a colour temp of 4000K, which is substandard for wildlife and people. As such, a condition is recommended requiring the use of a maximum colour temperature of 3000K or lower which is a warmer light and lower impact on biodiversity and habitats.
- 12.20 Green roofs are proposed with the required minimum substrate, which includes blanket depth. The ecology report states, *"The roofs will consist exposed substrate, mounds, hollows, log/rock piles, hibernaculum, plug planting and wildflower seeding with seed mix specifically designed to meet the needs of rooftop conditions in inner city locations, delivering maximum biodiversity enhancements."* As such, a condition is included requiring the full details of the roof (design, sections and species), and a management plan, to follow the recommendations in the Ecological Assessment Report.
- 12.21 Bird and bat boxes are proposed within the Design and Access Statement, however they are not yet integrated into the fabric of the buildings as sought by Council's Nature Conservation Officer. As such, a condition will be included requiring details of 4 swift boxes and 6 bat boxes to be integrated into the fabric of the building, and a further four bird boxes to either be integrated into the fabric of the building or affixed to the outside of the building.
- 12.22 Overall, the landscaping and greening of the site is a notable improvement over the current position and meets the aims and objectives of the development plan. Final details are still needed to ensure the highest impact and quality as already set out above. In addition, officers seek a more balanced planting strategy to include more native species and species selected for biodiversity. A condition is included to obtain additional details of soft landscaping and replacement of any planting that dies within the first five years until fully established.

#### Conclusion

- 12.23 Given the above, the proposal is considered acceptable in regards to nature conservation, landscape, open space and biodiversity. The proposal will enhance the site and surrounding environment, and comply with local plan policies A2 and A3.

### **13 AMENITY OF NEIGHBOURING PROPERTIES**

- 13.0 The considerations on the impact on the amenity of the occupiers of neighbouring properties are as follows:
- Policy review
  - Introduction
  - Light
  - Privacy and outlook

- Noise

#### Policy review

- 13.1 Camden Local Plan policies A1, A2, A3, A4 and A5 and CPG (Amenity) are relevant with regards to the impact on the amenity of residential properties in the area. Any impact from construction works is dealt with in the transport section.

#### Introduction

- 13.2 The surrounding area is predominantly residential, with the houses on Priory Terrace to the west, flats in Phase 1 of the Abbey Co-Op development to the south-east (across Belsize Road) and flats in Snowman House and Casterbridge House to the north-east (across Abbey Road).

#### Loss of light

- 13.3 A Daylight and Sunlight Report has been submitted as part of this application that details any impact upon neighbouring residential properties. Detailed daylight and sunlight assessments have been carried out to the surrounding residential windows. Daylight has been assessed in terms of Vertical Sky Component (VSC). The VSC is calculated at the centre point of each affected window on the outside face of the wall in question. A window looking into an empty field will achieve a maximum value of 40%. BRE guidelines suggest that 27% VSC is a good level of daylight. If a window does not achieve 27% VSC as a result of the development, then it is assessed whether the reduction in value would be greater than 20% of the existing VSC – which is when the reduction in light would become noticeable to occupants. Retained VSCs lower than 27% are normal for urban areas, with VSC levels of around 15-18% still considered acceptable in these urban contexts.
- 13.4 The more technical No-Sky-Line (NSL) test can also be employed. The NSL is 'the outline on the working plane of the area from which no sky can be seen. In residential properties – the working plane is taken as 0.85m high. Like VSC, the NSL figure can be reduced by up to 20% before the daylight loss is materially noticeable. Retained NSL levels of more than 50% of the room daylit at the working plane are generally considered appropriate and common for such urban settings.
- 13.5 The surrounding properties meet the daylight requirements, and the majority of surrounding properties meet both the VSC and NSL tests set out in the BRE guidelines. Of those that fail one of the main tests, several nonetheless satisfy the other remaining test. The BRE guidance expects both tests to be met, however the guidance is not an instrument of policy, and so a flexible approach is normally taken by officers in assessing impacts, in line with the government guidance in the NPPF and NPPG. This is because light is only one aspect of assessing layout and impact. In this case, when considering and balancing the impact of the development on neighbouring properties, officers have considered the numerical outputs and made balanced judgements on these outputs and have used compliance with one of the tests as an indicator for lower impact.
- 13.6 Only 5 properties will not meet either criterion set out in the guidelines (VSC or NSL), and these would also have the more notable impacts. These properties

are 10, 14, and 36 Priory Terrace, and the Phase 1 block of flats in Abbey Road (opposite this Phase 3 site). The following goes into more detail on these properties.

### **10 Priory Terrace**

- 13.7 The property appears to be flats and the more notable impact appears to be on the living room on the lower ground floor. However, the room is served by two windows and the shortfalls are marginal. Both windows retain good VSCs of more than 20%, with the room still receiving more than 50% NSL. Overall the impact on this room is acceptable in the context.

### **14 Priory Terrace**

- 13.8 The property also appears to be flats and the more notable impact appears to be on the living room on the lower ground floor again. However, the shortfalls are marginal with the VSC being only 0.79 of its former value rather than the guidance 0.80. The window retains a good VSC of more than 20%, with the room still receiving more than 50% NSL. Overall the impact on this room is acceptable in the context.

### **36 Priory Terrace**

- 13.9 The property also appears to be flats and the more notable impact appears to be on the living room on the lower ground floor. The impact is more notable because it's a basement flat and it is already enclosed on one side by the flank of 143 Abbey Road which limits its view of the sky. The shortfall is marginal with the VSC being only 0.79 of its former value rather than the guidance 0.80. This is because the starting position for this room is already lower levels of VSC and NSL, so relative reductions are more pronounced without lower retained and existing levels than elsewhere. The window started with a VSC of lower than 20%, but still retains a VSC of more than 15%. Although the relative reduction is notable, this equates to only a 4.1 actual percentage point loss. The room would still receive more than 40% NSL, which although fairly low, is commensurate with its location in this particular basement. Overall the impact on this room is notable but acceptable in the context with VSC levels in the mid-teens being relatively common in denser urban environments.

### **Abbey Phase 1**

- 13.10 Most flats in the Phase 1 comply with the BRE guidelines, or only fail one of the tests (VSC or NSL) but pass the other. As previously described, the BRE guidance expects adherence to both, but it is nonetheless taken as an indicator of lesser impact. Out of the total of 164 rooms tested, there are 41 rooms that fail both tests in the guidelines, but most of the impacts are generally marginal shortfalls retaining decent light levels.
- 13.11 Of these 41 rooms, the vast majority are bedrooms which are considered less important in terms of need for daylight in the BRE guidance. For 36 of these rooms, they retain light levels that are acceptable on balance with either VSC levels ranging from 15% to 26.3%, or retained NSL levels in excess of 50%. As a result, the more significant light impacts are limited to only five rooms in the whole of the Abbey Phase 1 development, out of the 164 rooms tested.

- 13.12 On balance, the impact on light on the surrounding occupiers of the development are noticeable, but tend to be focused on only a limited number of properties with the more adverse impacts on a few isolated rooms in the Abbey Phase 1 block opposite. It should also be noted that the baseline for the assessment was the current site, rather than a comparison to the outline permission. Those moving into the Abbey Phase 1 scheme would have been aware of the previous Outline permission for Phase 3 and that it was to be considered as a future development site. Overall, the scheme is consistent with an urban environment, has been designed to minimise impact on light, and complies with the development plan.

#### Privacy and outlook

- 13.13 The Mayor of London's Housing SPG sets the minimum separation distance between windows serving habitable rooms at 18m. To the west of the proposed blocks, are the closest neighbouring residential properties; the rear of the houses on Priory Terrace. The solid to void ratio on the garden-facing facades is larger than on the street elevations to reduce overlooking to neighbours on Priory Terrace. This is achieved through raised window sills in bedrooms and smaller window openings. The private open space will create a green buffer zone to the residential dwellings located on the eastern side of Priory Terrace, which will minimise any such adverse impacts such as loss of light, outlook and privacy. The blocks have also been carefully designed to incorporate chamfers and they are cranked at an angle to minimise direct face to face overlooking between properties, whilst still providing surveillance to the streets and surrounding spaces.
- 13.14 There are residential properties that were constructed in Phase 1 of the Abbey Co-op development, to the south-east of the site, across Belsize Road. To the north-east of the site, across Abbey Road, there are Casterman House and Snowman House. The proposed blocks have been placed to achieve at least this 18m separation distance, with windows placed to reduce overlooking further.

#### Noise

- 13.15 An acoustic assessment was submitted as part of the application which was reviewed by a Noise Officer. The development is wholly residential and will by its nature not create substantial noise nuisance. Conditions are attached specifying the maximum noise levels for the flats, anti-vibration and sound insulation - between residential properties and also between residential and commercial properties.

## **14 AIR QUALITY**

- 14.0 Camden Local Plan policy CC4 is relevant with regards to air quality.
- 14.1 An Air Quality Assessment (AQA) has been submitted as part of this application which was assessed by an Air Quality Officer.

The proposals are car-free, with only disabled parking proposed (on-street). The proposals are for non-combustion heating using Air Source Heat Pumps (ASHP) which is welcomed. The proposals are air quality neutral which meets the requirements.

- 14.2 Most of the site is modelled to be within annual mean concentrations for Nitrogen Dioxide (NO<sub>2</sub>) except one receptor location E6 that at 52µg/m<sup>3</sup> significantly exceeds the national objective level of 40µg/m<sup>3</sup>. The Air Quality Assessment does not clearly indicate the location of this receptor. A further response stated that the high pollution at E6 is due to the location “at a busy road junction and adjacent to a bus stop”. Further information is required to confirm the exact location of receptor E6 and the proximity of any proposed residential units to the location. The provision of this information and if appropriate, suitable mitigation such as MVHR with filtration, is conditioned.
- 14.3 It is noted from the Energy Statement that MVHR (mechanical ventilation with heat recovery) is proposed for the development. The air inlets for MVHR should be located away from busy roads, any boiler stack or exhausts from kitchens or any other emission sources and as close to roof level as possible to protect internal air quality, further details should be secured by condition attached.
- 14.4 The proposed development is High Risk for demolition and construction dust. Suitable mitigation has been recommended. The 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. A condition is recommended for air quality monitoring during development works.
- 14.5 Air quality during construction would be managed with the CMP, which is secured by shadow section 106 legal agreement.

## **15 SUSTAINABLE DESIGN AND CONSTRUCTION**

15.0 The sustainable design and construction considerations are as follows:

- Policy review
- Introduction
- The site and the proposal
- Energy
- Demolition
- Sustainability

### Policy review

15.1 Pursuant to London Plan policies 5.2, 5.3, 5.6m, 5.7, 5.9, 5.10, 5.11, 5.12, 5.13, 5.14, 5.15 and 5.17, Camden Local Plan policies CC1, CC2, CC3, CC4 and CC5, all developments in Camden are required to make the fullest contribution to the mitigation of and adaptation to climate change, to minimise carbon dioxide emissions and contribute to water conservation and sustainable urban drainage.

### Introduction

15.2 Applicants must submit an Energy Statement showing how the development will meet the following policy requirements:



- Follow the energy hierarchy set out in the London Plan (2016) Chapter 5 (particularly Policy 5.2) and meet the target for zero carbon residential buildings.
- The application must achieve at least a 35 per cent reduction in regulated carbon dioxide emissions (beyond Part L 2013) on site as set out in the Energy Planning - GLA Guidance on preparing energy assessments 2018.
- Domestic developments should achieve at least a 10 per cent improvement on Building Regulations from energy efficiency.
- The remaining regulated carbon dioxide emissions, to 100 per cent, are to be off-set through a payment in lieu.
- The London Plan (Policy 5.5) requires developers to prioritise connection to existing or planned decentralised energy networks where feasible. Camden's Local Plan Policy CC1) requires all major developments to assess the feasibility of connecting to an existing decentralised energy network, or where this is not possible establishing a new network.
- Camden's Local Plan (chapter 8) requires all developments to achieve a 20% reduction in CO2 emissions through renewable technologies (the 3<sup>rd</sup> stage of the energy hierarchy) wherever feasible, and this should be demonstrated through the energy statement.
- Where the London Plan carbon reduction target cannot be met on-site, we may accept the provision of measures elsewhere in the borough or a financial contribution (charged at £60/tonne CO2/yr over a 30 year period), which would be used to secure the delivery of carbon reduction measures elsewhere in the borough.
- GLA guidance on preparing energy assessments and CPG3 should be followed.

15.3 Applicants are also expected to submit a Sustainability Statement - the detail of which to be commensurate with the scale of the development showing how the development will implement the sustainable design principles as noted in policy CC2.

#### The site and the proposal

15.4 The proposal is a car free scheme of a suitable density. The principle of the scheme is therefore highly sustainable subject to the energy and resource management.

#### Energy

15.5 The proposals generally achieve the required carbon reductions for the scale of development. The overall carbon reduction of 59.52% for the residential areas exceeds the requirement for 35% minimum on site. The overall carbon reduction of 39.6% for the non-residential areas exceeds the requirement for 35% minimum on site. The site wide overall carbon reduction of 58.81% notably exceeds the on-site carbon reductions targets. To meet the requirement for net zero carbon, a carbon offset payment of £184,224 is required (64.64 tonnes £95 per tonne for 30 years) which should be secured through the shadow section 106 agreement.

15.6 The proposals perform well in terms of energy efficiency with a reduction of 11.9% in carbon emissions through energy efficiency measures at Be Lean stage meets the requirement of 10% for the residential areas set out in the London Plan. A reduction of 25.38% in carbon emissions through energy efficiency measures at

Be Lean stage also exceeds the requirement of 15% for the commercial areas as set out in the London Plan.

- 15.7 The local plan requires at least 20% of the carbon emissions to be produced through on site renewable energy, and the residential areas exceed this significantly with a reduction of 54.05% in carbon emissions at Be Green stage. The reduction of 19.06% in carbon emissions at Be Green stage for the non-residential areas does not quite meet the requirement of 20% from onsite renewable energy however the target is met overall on site with a 52.99% reduction.
- 15.8 A communal heat pump led heat network with low temp hot water loop will provide 95% of heat demand. Future proofing including space for plant and soft points for connection to District Heating will also be secured through the shadow section 106 legal agreement.
- 15.9 A total of 163 solar PV panels with total 57.05kWp are proposed. A condition is recommended to secure the final details of the panels.
- 15.10 Be seen energy monitoring will be delivered through a suitable metering strategy to record energy consumption. A shadow section 106 condition is recommended to ensure the reporting requirements of the GLA are met.
- 15.11 An overheating assessment has been undertaken and includes measures incorporated to minimise cooling demand. This includes physical design through window sizes, shaded balconies and aspect. Due to noise and security constraints restricting natural ventilation, temperature topping via the MVHR is accepted as an efficient way to prevent overheating and would be acceptable in this circumstance.

#### Demolition

- 15.12 The principle of the demolition of the existing blocks was established under the previous hybrid permission. The sustainability impact from the demolition is acceptable given the problems with the existing buildings on site such as poor layout and entrance of the health and community centres. Furthermore, the existing accommodation in the buildings was substandard and although options to refurbish were explored, the structural elements of the building limited efficient reworking of the internal layouts. Restricted floor to ceiling heights also meant that introducing more energy efficient systems such as heat pumps, mechanical ventilation with heat recovery (MVHR) and associated plant, would have been impractical. Given that the proposals would provide many more flats as well as private open space, the proposals allow a much more efficient use of the space on site which are more sustainable in the long term. Nonetheless, the applicants undertook a whole-life carbon assessment following the London Plan requirements which has been scrutinised by sustainability officers and the GLA.

#### Sustainability

- 15.13 A Sustainability Statement has been submitted as part of this application.

- 15.14 The water fixtures and fittings specified for each home will collectively deliver no more than 105 litres/person/day per home, which is secured by condition.
- 15.15 The Home Quality Mark provides impartial information from independent experts on a new home's quality and sustainability. The currently targeted Home Quality Mark (HQM) credits contained in the Pre-Assessment allow the homes to target a score of 279 credits which equates to a 4 star rating. The Council is supportive of scheme that aim to achieve HQM and the achievement of 4 star rating is welcomed and should be secured through the shadow section 106 agreement.
- 15.16 The proposals exceed the standard benchmarks and comfortably meet the GLA aspirational benchmarks for whole life carbon for residential buildings. A condition is recommended to secure post construction monitoring report as required by the GLA.

The demolition will result in on-site materials and waste. In relation to the circular economy, a pre redevelopment audit has been undertaken, design approached and principles considered, bill of materials estimated and a commitment has been made to the required targets for 95 per cent reuse/recycling/recovery of construction and demolition waste and for 95 per cent of excavation to be put to beneficial use. A condition is attached ensuring 95% of demolition waste is diverted from landfill to be reused or recycled.

## **16 FLOOD RISK AND DRAINAGE**

- 16.0 Policy CC3 is relevant with regards to flood risk and drainage.
- 16.1 The site is located within Flood Zone 1. There are 3 flood zones as defined by the Environment Agency; Flood Zones 1, 2 and 3. These are based on the likelihood of an area flooding, with flood zone 1 areas least likely to flood and flood zone 3 areas more likely to flood.
- 16.2 A Flood Risk Assessment and Drainage Strategy have been submitted as part of this application. The submitted documents include pro-forma, drainage calculations, exceedance flow routes and maintenance tasks ownership. The current site is largely hard surface and the greening of the site, and use of sustainable drainage systems will make a significant improvement to the current position. The measures will mean a discharge rate at the site at 2.5 l/s which is greenfield rate in line in policy.
- 16.3 The Lead Local Flood Authority is happy with the proposals subject to conditions requiring further details with regards SUDS and the green roofs. The applicant proposes to manage porous paving and green infrastructure. Given the above, the proposed measures are considered acceptable in terms of flood risk and compliant with the development plan. Thames Water has been consulted and has no objections.

## **17 TRANSPORT**

- 17.0 The following transport considerations are covered below:

- Policy review
- Introduction
- Trip generation
- Car parking – policy
- Car parking – proposals
- Cycle parking
- Deliveries and servicing
- Managing and mitigating the impacts of construction
- Highway works contribution
- Public realm improvements
- Conclusion

#### Policy review

- 17.1 Camden Local Plan policies T1, T2, A1 and the Transport CPG are relevant with regards transport issues.

#### Introduction

- 17.2 The site fronts the northwest corner of Belsize Road and Abbey Road. The development comprises 139 residential units and 305m<sup>2</sup> (GIA) of commercial Class E space. There are currently 74 residential units on the site so the uplift would be 65 units. A Transport Assessment (TA) and a Technical Note have been submitted in support of this application.

#### Trip generation

- 17.3 The site's existing trip generation is presented in Table 7-5 of the TA, reproduced below.

| Total Person Trips  | AM Peak (08:00-09:00) |     |         | PM Peak (17:00-18:00) |     |         |
|---------------------|-----------------------|-----|---------|-----------------------|-----|---------|
|                     | In                    | Out | Two-way | In                    | Out | Two-way |
| Existing (74 units) | 8                     | 48  | 56      | 30                    | 10  | 39      |

- 17.4 The proposed trip generation is presented in Table 7-8 of the TA, reproduced below.

| Total Person Trips      | AM Peak (08:00-09:00) |            |            | PM Peak (17:00-18:00) |            |            |
|-------------------------|-----------------------|------------|------------|-----------------------|------------|------------|
|                         | In                    | Out        | Two-way    | In                    | Out        | Two-way    |
| Residential (139 units) | 15                    | 90         | 104        | 55                    | 18         | 74         |
| Commercial units        | 151                   | 145        | 297        | 188                   | 183        | 372        |
| <b>TOTAL</b>            | <b>166</b>            | <b>235</b> | <b>401</b> | <b>244</b>            | <b>202</b> | <b>446</b> |

- 17.5 Although there would be an increase in trip generation to the site, the site's accessible location means the increase is largely accommodated by public transport and sustainable modes such as walking or bikes. The proposed residential trip generation by mode is shown in Table 7-10, reproduced below.

| Mode                           | Mode Share  | AM Peak (08:00-09:00) |           |            | PM Peak (17:00-18:00) |           |           |
|--------------------------------|-------------|-----------------------|-----------|------------|-----------------------|-----------|-----------|
|                                |             | Arr                   | Dep       | Tot        | Arr                   | Dep       | Tot       |
| Underground, metro             | 39%         | 6                     | 35        | 41         | 22                    | 7         | 29        |
| Train                          | 9%          | 1                     | 8         | 9          | 5                     | 2         | 6         |
| Bus, Minibus or Coach          | 29%         | 4                     | 26        | 30         | 16                    | 5         | 21        |
| Taxi                           | 0%          | 0                     | 0         | 0          | 0                     | 0         | 0         |
| Motorcycle, Scooter or Moped   | 1%          | 0                     | 1         | 1          | 1                     | 0         | 1         |
| Driving a Car or Van           | 1%          | 0                     | 1         | 1          | 1                     | 0         | 1         |
| Passenger in a Car or Van      | 1%          | 0                     | 1         | 1          | 1                     | 0         | 1         |
| Bicycle                        | 5%          | 1                     | 5         | 6          | 3                     | 1         | 4         |
| On Foot                        | 13%         | 2                     | 12        | 14         | 7                     | 2         | 10        |
| Other method of travel to work | 1%          | 0                     | 1         | 1          | 1                     | 0         | 1         |
| <b>Total</b>                   | <b>100%</b> | <b>15</b>             | <b>90</b> | <b>104</b> | <b>55</b>             | <b>18</b> | <b>74</b> |

17.6 Transport officers have advised that in their professional opinion that both the quantity of trips and the mode share by motorised vehicles are likely to be slightly higher than the estimates given in the TA. However, they have also advised that the development is unlikely to have significant impact on the highway network with sustainable modes still accounting for the main increases in trips. Officers consider that there is sufficient capacity on the public transport network to accommodate the increase in population proposed.

#### Car parking – policy

17.7 Policy T2 of the Camden Local Plan states that the Council will limit the availability of parking and require all new developments in the borough to be car-free. There is no on-site parking proposed, but to prevent the future occupants from obtaining on-street parking permits from the Council, the development should be subject to a car free agreement, and this should be secured by means of a shadow section 106 Agreement. The Policy T2 restriction on parking does not apply to provision for disabled persons, the requirements of which are governed by the London Plan. Policy T6.1 G requires three per cent of dwellings to have a designated disabled persons parking bay from the outset and passive provision for an additional seven per cent of dwellings. CPG Transport Clause 5.19 states that for all major developments, the Council will expect that disabled car parking is accommodated on-site. CPG Transport 7.9 The Council will resist development that negatively impacts on existing on-street parking conditions and will not approve applications for planning permission (or for highways consent) that would cause or exacerbate

unacceptable parking pressure or add to existing parking, waiting and loading problems.

#### Car parking – proposals

- 17.8 The proposed development would be car-free (secured by the shadow s106 legal agreement) so there would be no notable parking impact from the occupation of the site.
- 17.9 For this development, the applicant is proposing to locate the disabled parking on street at the rates given in the London Plan. This equates to 3%, or 5 spaces initially, and passive provision for another 7% (potentially another 9 spaces). The applicant is also proposing on-street loading bays to cater for refuse collection and deliveries. It is proposed to locate the disabled bays and the delivery bays adjacent to the development site in Abbey Road and Belsize Road. It is also proposed to remove 5 paid for parking spaces and 5 residents' parking spaces to make room for parking for people with disabilities and a proposed servicing bay. In a previous iteration of the design, one disabled parking space was to be provided for the commercial unit. However, this is no longer proposed.
- 17.10 The limited impact would come from the reconfiguration of the highways to disabled parking if and when need arises in the future. The site straddles two of Camden's Controlled Parking Zones (CPZs) CA-K (Kilburn Priory) and 'CA-K/R'. CA-K/R is the area that straddles CA-K and CA-R (Swiss Cottage) and is available to permit holders in either of the CPZs. CA-K is shown blue, and CA-K/R.
- 17.11 The ratio of residents permits to parking spaces in CA-K is 105% and in CA-R is 108%. CA-K Kilburn Priory has paid-for bays in operation 08:30-18:30 Monday to Friday and likewise for CPZ CA-K/R. Resident permit bays are also in operation 08:30-18:30 Monday to Friday.
- 17.12 The applicant has prepared a parking stress survey. The survey should cover streets within 200m (or a 2-minute walk) around a site. Since people are unlikely to stop halfway along a road at an imaginary 200m line, the survey boundary should be extended to the next junction or shortened to the previous one. In this case, the survey has been extended to around 500m in the case of Belsize Road West, and to 270m north of the site.
- 17.13 The total number of residents' parking spaces in the survey area came to 413 and the maximum degree of parking (04:45 AM) was 308, giving an occupancy rate of 74%. Technical Note TN02 states that 11 spaces could be lost because of the development proposals – with the provision of parking for disabled people and a servicing bay. It should be noted that the parking survey did not take account of proposed changes from the Abbey Phase 2 project, whereby six bays outside the community centre in Belsize Road would be lost. Applying these corrections gives a maximum occupancy rate of 78%.
- 17.14 On the assumption that the future parking stress in the area surveyed would generally not exceed 78%, then residents should be able to find spaces to park. It should be noted, however, that the parking survey showed that CPZ in Belsize Road

is already close to saturation so local residents may find they have walk of several minutes between parking spaces and dwellings in future.

17.15 The proposed highway works are indicative in this application and would be subject to further detailed design, consultation and approval by the Highway Authority.

17.16 On-street disabled parking spaces are only allocated in response to personal requests, and this cannot happen before the site is occupied. The highway works, including the installation of the loading and disabled bays, would be implemented by the Council's highways contractor on completion of the development. (See the Highway works contribution section below).

#### Cycle parking

17.17 The TA states that there will be 252 Long-Stay cycle parking spaces and 8 Short-Stay cycle parking spaces. This meets the London Plan standards for long stay cycle parking. The applicant is proposing to use Broxap cycle racks, a two-tier system that has Sheffield stands at the lower level and double racks at the upper level. This system offers higher density provision than other systems. The cycle rack manufacturer has confirmed that the proposed cycle racks will function with an aisle width of 2,500mm. The cycle parking is secured by condition.

#### Deliveries and servicing

17.18 The TA includes an assessment of the number of delivery and servicing trips expected; the summary total for all vehicle types being 42 per day. The scheme proposes deliveries and servicing to take place in new on-street bays.

17.19 The applicant has estimated the daily number of servicing visits expected for the dwellings, using two different sources of data which gave predictions of 71 and 89 per day. The commercial units are predicted to attract seven visits per day. Most visits would be expected to be of 5-minutes duration although 8% of households would be expected have at least one commercial visitor who stayed more than 30 minutes. As the expected number of visits of 30 minutes in the busiest hour is two; the proposed two loading bays is adequate.

17.20 The applicant is proposing a Delivery and Servicing Plan (DSP) that would be managed by the Estates Management team. The DSP is covered by a shadow section 106 obligation if the application is approved.

17.21 The changes to the public highway would be covered by the Highways Works contribution.

#### Managing and mitigating the impacts of construction

17.22 Construction Management Plans (CMPs) are used to demonstrate how developments will minimise impacts from the movement of goods and materials during the construction process (including any demolition works). The Council's primary concern is public safety, but we also need to ensure that construction traffic does not create (or add to existing) traffic congestion in the local area. The proposal is also likely to lead to a variety of amenity issues for local people (e.g., noise, vibration, air quality, temporary loss of parking, etc.). The Council needs to ensure



that the development can be implemented without being detrimental to amenity or the safe and efficient operation of the highway network in the local area.

- 17.23 A framework CMP has been submitted in support of the planning application. While the information provided in the framework CMP is useful, a more detailed CMP would be required if planning permission is granted as contractors would be known. The final CMP would require significant input from Council officers, residents and other stakeholders before being approved.
- 17.24 The Council would seek to secure a CMP, a CMP implementation support contribution of £28,520 and a Construction Impact Bond of £30,000 as shadow section 106 planning obligation in accordance with Policy A1.
- 17.25 The Council would expect construction vehicle movements to and from the site to be scheduled to avoid peak periods to minimise the impacts of construction on the transport network. This is particularly important due to the location of cycle and pedestrian routes adjacent to the site. The contractor would need to register the works with the Considerate Constructors' Scheme. The contractor would also need to adhere to the CLOCS standard.

#### Highway works contribution

- 17.26 The carriageway and footway directly adjacent to the site on Belsize Road and Abbey Road is likely to sustain significant damage because of the proposed demolition and construction works required. The Council would need to undertake remedial works to repair any such damage following completion of the proposed development. A highways contribution would need to be secured as a shadow section 106 planning obligation if planning permission is granted. This would allow the Council to repave the carriageway adjacent to the site, provide new footways along the eastern and western frontage of the building and repair any other damage to the public highway in the general vicinity of the site. The highway works would be implemented by the Council's highways contractor on completion of the development. The highways works estimate is £229,231.85. The costs of on the on-street works would need to be safeguarded via a shadow section 106 condition.

#### Public Realm Improvements

- 17.27 The proposed development will generate a significant increase in journeys to and from the site daily. The Council's transport policies are geared towards encouraging and promoting active travel (i.e., walking and cycling). The Council would therefore seek to secure a Pedestrian, Cycling and Environmental (PC&E) improvements contribution of £65,000 and this should be secured by a shadow section 106 planning obligation.

#### Summary and conclusions

- 17.28 The application is acceptable in transport terms with improvements to public realm subject to the conditions and shadow section 106 obligations set out.

## **18 SAFETY AND SECURITY**

- 18.0 Camden Local Plan policy C5 and CPG1 (Design) are relevant with regards to secure by design.

- 18.1 The existing alleyway at the rear of the site is poorly overlooked and provides the potential for anti-social/criminal behaviour. This would be removed under the proposals, providing a safer communal environment that is well overlooked with natural surveillance.
- 18.2 The Designing Out Crime officer was consulted prior to the application being submitted and was involved in the design process. This officer raised no objections to the proposals subject to a condition. The proposed design would incorporate natural surveillance and would not provide spaces that encourage/allow anti-social behaviour. The rear garden is gated and enclosed by railings and would not be publicly accessible. There are opportunities to look through to the public garden from the street which creates visual permeability and discourages anti-social behaviour. CCTV is proposed to further safeguard against crime. The development addresses the street on the ground floor with open and visible public realm to the frontages. The blocks have access control to ensure they are separately manageable, with separation between residential and commercial uses. A condition is also recommended to secure a lighting strategy to ensure a safe and secure environment, which is balanced against the biodiversity impacts.
- 18.3 The application is accompanied by a fire statement which details the construction, methods, products and materials used for the blocks; the means of escape for all building users including those who are disabled or require level access together with the associated management plan; access for fire service personnel and equipment; ongoing maintenance and monitoring and how provision would be made within the site to enable fire fighters to gain access to the building. A condition ensuring compliance with this document is attached to the recommendation.

## **19 HEALTH AND EQUALITY IMPACT**

- 19.0 Camden Local Plan policy C1 seeks to promote strong, vibrant and healthy communities.
- 19.1 A Health Impact Assessment (HIA) has been carried out by the applicant and the findings of the assessment have been submitted as part of this application.
- 19.2 The submitted HIA finds that there would only be positive or neutral health impacts from the development, with no negative health impacts. The health and community centres have been re-provided in purpose-built facilities in Phase 2. The proposed flats have been designed to provide a high standard of amenity to future occupants, in terms of space, light and outdoor space.
- 19.3 Any impacts in terms of noise, dust and pollution will be dealt with by a Construction Management Plan that would be secured as part of a shadow section 106 agreement.
- 19.4 Impacts of estate regeneration schemes can often be more notable for those with protected characteristics such as the elderly, younger children, pregnant women, or those with disabilities. The scheme forms the final phase in a three-phase scheme which has allowed existing homes to be re-provided in the same area and

established community (in Phase 1), and an improved health centre and community centre provided nearby in Phase 2. The Phase 3 proposals under this application accommodate provision for a range of needs and households, including low-income families, intermediate housing, and accessible units across all tenures.

19.5 Whilst the Equalities Impact Assessment undertaken by the applicant acknowledges the more notable impacts on certain protected groups, both through the construction phase and the operational phase, it identifies mitigation measures (such as construction management) and positive benefits for others with protected characteristics (providing housing for people with reduced mobility, job opportunities for the under 25s, play space for children and so on).

19.6 Overall, the impact of the development would be positive in health terms for several groups with protected characteristics, advancing equality of opportunity.

## **20 REFUSE AND RECYCLING**

20.0 Policy CC5 and Camden Planning Guidance 'Design' are relevant with regards to waste and recycling storage and seek to ensure that appropriate storage for waste and recyclables is provided in all developments.

20.1 A separate refuse store would be provided within each block at ground floor level adjacent to their respective main entrances and accessible externally. The stores have been designed to be well lit, well ventilated and conveniently located, with key fob access and CCTV to ensure the stores are accessed solely by residents. Block A is also proposed to include a separate bulk store for larger items, which includes space for waste electrical and electronic equipment.

20.2 Each refuse store would be provided with separate general waste, recycling and food waste bins in the form of 1280l Eurobins for refuse and recycling and 240l food bins. Internally, all flats would have kitchen compartments for mixed recycling and general waste, with separate storage for food waste in accordance with CPG recommendations.

20.3 There are on-street loading bays proposed outside Blocks A and C, but safely away from the junction. Collection of household waste will be undertaken weekly by the council.

20.4 Commercial uses are proposed within Blocks A and B, and dedicated waste stores are provided at ground floor level of each block. Five litres of refuse storage per square metre of commercial floor space has been provided in accordance with policy requirements.

20.5 The commercial waste bin provision will ultimately be agreed within the contracts for commercial waste collections and be dependent on the agreed collection frequency. Commercial tenants will arrange collections through a registered waste contractor, ensuring that all permits and licenses are correct for the waste being taken. The appointed contractors will collect direct from the commercial bin areas, and/or the units themselves within a window of time as agreed within the collection contract.

20.6 An Operational Waste Management Plan has been submitted as part of this application. A condition would ensure the refuse storage facilities are provided in accordance with this document, and are provided for use prior to occupation of the residential and commercial units.

## **21 CONSTRUCTION PHASE EMPLOYMENT AND TRAINING**

### Introduction

21.0 The proposed development is large enough to generate significant local economic benefits. Policies E1 and E3 seek to secure employment and training opportunities for local residents and opportunities for businesses based in the Borough to secure contracts to provide goods and services.

21.1 In line with CPG8, a range of training and employment benefits are to be secured in order to provide opportunities during the construction phase for local residents and businesses. This package of recruitment, apprenticeship and procurement measures will be secured via S106 and will comprise:

- Local employment
- Construction apprenticeships and work placement opportunities through the King's Cross Construction Skills Centre
- Local Procurement
- Work apprenticeships

### Construction Phase

21.2 Apprenticeships - as the build cost for this scheme will exceed £3 million the applicant must recruit 1 construction apprentice paid at least London Living Wage per £3million of build costs and pay the council a support fee of £1,700 per apprentice as per section 63 of the Employment sites and business premises CPG. Recruitment of construction apprentices should be conducted through the Council's King's Cross Construction Skills Centre. If the cost is approx. £52 million, then this would be 17 apprentices with £28,900 support fee.

21.3 Construction Work Experience Placements - The applicant should provide 6 construction work placement opportunities (this is one placement per 20 net additional housing units, total new units 139 ) of not less than 2 weeks each, to be undertaken over the course of the development, to be recruited through the Council's King's Cross Construction Skills Centre, as per section 69 of the Employment sites and business premises CPG.

21.4 Local Recruitment – our standard local recruitment target is 20%.The applicant should work with the Kings Cross Construction Skills Centre to recruit to vacancies, advertising with us for no less than a week before the roles are advertised more widely.

21.5 Local Procurement – The applicant must also sign up to the Camden Local Procurement Code, as per section 61 of the Employment sites and business premises CPG. Our local procurement code sets a target of **10%** of the total value of the construction contract.

21.6 This package of employment and training, and supporting contributions, will be secured under the shadow section 106 agreement and so the proposals are therefore in accordance with the above policies.

## **22 PLANNING OBLIGATIONS**

22.0 The following planning obligation (including contributions) are required to mitigate the impact of the development. These heads of terms will mitigate any impact of the proposal on the infrastructure of the area.

| <b>Contribution</b>                                 | <b>Amount (£)</b> |
|---|-------------------|
| Affordable housing                                  | N/A               |
| Deferred Affordable Housing viability reviews       | N/A               |
| Car free  | N/A               |
| Pedestrian, cycling and environmental contributions | 65,000            |
| Highways works                                      | £229,231.85       |
| Delivery and Servicing Plan                         | N/A               |
| CMP   | N/A               |
| CMP monitoring fee                                  | 28,520            |
| CMP bond  | 30,000            |
| Energy and sustainability plans                     | N/A               |
| Carbon off-set fund                                 | 184,224           |
| Future proofing for connection to DEN               | N/A               |
| Employment and training (apprentice support)        | Estimated £28,900 |
| Retention of architect                              | N/A               |
| <b>TOTAL</b>  | <b>500,975.85</b> |

## **23 MAYOR OF LONDON'S CROSSRAIL CIL (MCIL2)**

23.0 The proposal will be liable for the Mayor of London's Community Infrastructure Levy (CIL) as it includes the addition of private residential units. This would be collected by Camden after the scheme is implemented and could be subject to surcharges for failure to assume liability, submit a commencement notice and late payment, and subject to indexation in line with the construction costs index. The mayoral CIL contribution is £441,979.19.

## **24 CAMDEN CIL**

24.0 The proposal would be liable for the Camden Community Infrastructure Levy (CIL). The borough CIL amount is £1,721,530.02.

## **25 CONCLUSION**

- 25.0 The provision of good quality housing, especially affordable housing is welcomed. The loss of commercial floorspace is acceptable given the changing nature of the retail market and the retail provision in Phase 1, across Belsize Road. The health and community centres are being re-provided in Phase 2.
- 25.1 The proposed dwellings would be acceptable in terms of floorspace, light, aspect and external amenity space. The unit mix broadly complies with Camden requirements and local need, but with a shift to smaller market units which is considered acceptable on balance.
- 25.2 The proposals have been designed to respect the local context in terms of scale, massing and architecture. They have also been designed to minimise any impact on surrounding conservation areas and the special character and appearance of heritage assets are preserved. The proposed architecture is of high quality and will enhance the street scene.
- 25.3 The majority of the site is currently developed. Under the proposals, the rear of the site would become an area of private open space. Under Phase 2, qualitative improvements to the Public Open Space across Abbey Road were also secured.
- 25.4 The proposed blocks have been sited and designed to avoid material impacts in terms of light, privacy, outlook and overlooking to neighbouring properties.
- 25.5 The principle of demolition on the site was established under the previous hybrid permission. The proposed development would use the site much more efficiently in terms of providing more flats as well as much more open space. The demolition has been justified in terms of sustainability and circular economy, and under a whole-life carbon assessment. The operational energy credentials of the proposal are also good and exceed the policy expectations. The proposals are acceptable in terms of sustainability and energy subject to shadow section 106 obligations.
- 25.6 The proposals are car free with sufficient cycle parking. Servicing provisions are adequate.
- 25.7 The proposals are welcomed they will deliver much needed housing and a sustainable, high-quality scheme, without a detrimental impact on the amenity of local residents. Given the above, officers recommend this application for approval.

## **26 RECOMMENDATIONS**

- 26.0 **Planning Permission is recommended subject to conditions and a shadow section 106 Legal Agreement.** The starred (\*\*) conditions below are shadow section 106 obligations and subject to final detailed drafting in consultation with legal service.

## **27 LEGAL COMMENTS**

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



## 28 CONDITIONS

|   |  |
|---|--|
| 1 | <p>Three years from the date of this permission</p> <p>This development must be begun not later than three years from the date of this permission.</p> <p>Reason: In order to comply with the provisions of Section 92 of the Town and Country Planning Act 1990 (as amended).</p>   |
| 2 | <p>Approved drawings</p> <p>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <p>Existing plans:<br/> ARR-PTE-ZZ-00-DR-A-10000, ARR-PTE-ZZ-00-DR-A-10101, ARR-PTE-ZZ-00-DR-A-10102, ARR-PTE-ZZ-00-DR-A-10103, ARR-PTE-ZZ-00-DR-A-10104, ARR-PTE-ZZ-00-DR-A-10105, ARR-PTE-ZZ-00-DR-A-10106, ARR-PTE-ZZ-00-DR-A-10107, ARR-PTE-ZZ-00-DR-A-10108, ARR-PTE-ZZ-00-DR-A-10109, ARR-PTE-ZZ-ZZ-DR-A-10210, ARR-PTE-ZZ-ZZ-DR-A-10211, ARR-PTE-ZZ-ZZ-DR-A-10212, ARR-PTE-ZZ-ZZ-DR-A-10313, ARR-PTE-ZZ-ZZ-DR-A-10314, ARR-PTE-ZZ-ZZ-DR-A-10315, ARR-PTE-ZZ-ZZ-DR-A-10316, ARR-PTE-ZZ-ZZ-DR-A-10317, ARR-PTE-ZZ-ZZ-DR-A-10318, ARR-PTE-ZZ-ZZ-DR-A-10319.</p> <p>Demolition plans:<br/> ARR-PTE-ZZ-00-DR-A-10020, ARR-PTE-ZZ-00-DR-A-10121, ARR-PTE-ZZ-00-DR-A-10122, ARR-PTE-ZZ-00-DR-A-10123, ARR-PTE-ZZ-00-DR-A-10124, ARR-PTE-ZZ-00-DR-A-10125, ARR-PTE-ZZ-00-DR-A-10126, ARR-PTE-ZZ-00-DR-A-10127, ARR-PTE-ZZ-00-DR-A-10128, ARR-PTE-ZZ-00-DR-A-10129, ARR-PTE-ZZ-ZZ-DR-A-10230, ARR-PTE-ZZ-ZZ-DR-A-10231, ARR-PTE-ZZ-ZZ-DR-A-10232, ARR-PTE-ZZ-ZZ-DR-A-10333, ARR-PTE-ZZ-ZZ-DR-A-10334, ARR-PTE-ZZ-ZZ-DR-A-10335, ARR-PTE-ZZ-ZZ-DR-A-10336, ARR-PTE-ZZ-ZZ-DR-A-10337, ARR-PTE-ZZ-ZZ-DR-A-10338, ARR-PTE-ZZ-ZZ-DR-A-10339.</p> <p>Proposed plans:<br/> ARR-PTE-ZZ-00-DR-A-10040 A, ARR-PTE-VA-ZZ-DR-A-10141 B, ARR-PTE-VB-ZZ-DR-A-10142 C, ARR-PTE-VB-ZZ-DR-A-10143 A, ARR-PTE-VB-ZZ-DR-A-10144 A, ARR-PTE-VC-ZZ-DR-A-10145 A, ARR-PTE-VC-ZZ-DR-A-10146 A, ARR-PTE-VA-ZZ-DR-A-10247 B, ARR-PTE-VB-ZZ-DR-A-10248 A, ARR-PTE-VC-ZZ-DR-A-10249 A, ARR-PTE-VA-ZZ-DR-A-10350 B, ARR-PTE-VA-ZZ-DR-A-10351 B, ARR-PTE-VA-ZZ-DR-A-10352 B, ARR-PTE-VB-ZZ-DR-A-10353 A, ARR-PTE-VB-ZZ-DR-A-10354 A, ARR-PTE-VB-ZZ-DR-A-10355 A, ARR-PTE-VC-ZZ-DR-A-10356 A, ARR-PTE-VC-ZZ-DR-A-10357 A, ARR-PTE-VC-ZZ-DR-A-10358 A, ARR-PTE-ZZ-ZZ-DR-A-10359 A, ARR-PTE-ZZ-ZZ-DR-A-10360 B, ARR-PTE-ZZ-ZZ-DR-A-10361 A, ARR-PTE-ZZ-ZZ-DR-A-10362 B,</p> |

|   |   |
|---|---|
|   | <p>D2857-FAB-S1-XX-DR-L-9100 P1, D2857-FAB-S1-XX-DR-L-9101 P1, D2857-FAB-S1-XX-DR-L-9200 P1, D2857-FAB-S1-XX-DR-L-9201 P1.</p> <p>Documents:<br/> Transport Assessment ref: 47293/5001 rev A dated April 2022; Affordable Housing Statement ref: JAKI/FKI/JL/G6817; Air Quality Assessment ref: 29172-RP-IE-001; Arboricultural Impact Assessment ref: SHA 1032; Design and Access Statement Revision C, dated May 2022; Archaeological Desk-Based Assessment ref: JAC27849; Biodiversity Net Gain Assessment ref: 330510094; Statement of Community Involvement dated April 2022; Daylight and Sunlight Report ref: 19495; Ecological Assessment Report ref: 330510094; Energy Statement dated 03/05/2022; Equalities Impact Assessment Report dated 4 May 2022; Planning Statement dated May 2022; Financial Viability Assessment ref: U0017643; Fire Statement ref: LO19113; Foul Drainage and Utilities Assessment ref: BS 1679; Phase 1 Ground Condition Assessment ref: ARR-STN-XX-00-RP-S-3501-S2-R01; Health Impact Assessment dated 3 May 2022; Heritage, Townscape and Visual Impact Assessment dated April 2022; Acoustics, Ventilation &amp; Overheating, Level 1 Assessment ref: 9770.ATN01.AVO.0; Level 2 Overheating Assessment ref: 9770.RP02.AVO.2; External Building Fabric Assessment ref: 9770.RP01.EBF.4; Operational Waste Management Strategy ref: 330510094; Pedestrian Wind Environment Study ref: WF389-02F02(REV4); Proposed External Luminaires Report ref: BS 1679; Sustainability Statement dated 29 April 2022; Circular Economy Statement ref: 60674228; Employment and Training Strategy dated May 2022; Stage 2/3 Whole-Life Cycle Carbon Assessment ref: 60674228; Flood Risk Assessment and Surface Water Drainage Strategy ref: 330510094, Daylight and Sunlight Report – Self assessment addendum (Delva Patman Redler) September 2022.</p> <p>Reason: For the avoidance of doubt and in the interest of proper planning.</p> |
| 3 | <p>Detailed drawings/samples</p> <p>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:</p> <ul style="list-style-type: none"> <li>a) Plan, elevation and section drawings, head and cill, of all external new window and door openings.</li> <li>b) Samples and manufacturer's details of all new facing materials including glazing, bricks, window frames and handrails.</li> <li>c) A sample panel of all brickwork shall 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 be constructed at 1:1 scale and be no less than 1m<sup>2</sup> in size demonstrate the proposed colour, texture, mortar and bond of the brickwork.</li> <li>d) 1:20 scale drawings of the detailed bay window studies.</li> </ul> <p>The relevant part of the works shall then be carried in accordance with the approved details</p>   |

|   |   |
|---|---|
|   | <p>Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of Camden Local Plan policies D1 and D2.</p>   |
| 4 | <p>External fixtures</p> <p>No lights, meter boxes, flues, vents or pipes, and no telecommunications equipment, alarm boxes, television aerials or satellite dishes shall be fixed or installed on the external face of the buildings, without the prior approval in writing of the Council.</p> <p>Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of Camden Local Plan policies D1 and D2</p>   |
| 5 | <p>Refuse and recycling</p> <p>Prior to first occupation of:</p> <ul style="list-style-type: none"> <li>a) The residential units</li> <li>b) The commercial units</li> </ul> <p>the refuse and recycling storage areas shall be completed and made available for occupants of that block/commercial unit. The development of each block/commercial unit shall not be implemented other than in accordance with such measures as approved. All such measures shall be in place prior to the first occupation of any residential units in the relevant plot and shall be retained thereafter.</p> <p>Reason: To safeguard the amenities of the future occupiers and adjoining neighbours in accordance with the requirements of Camden Local Plan policy CC5.</p> |
| 6 | <p>Roof terraces</p> <p>No flat roofs within the development shall be used as terraces unless marked as such on the approved plans, without the prior express approval in writing of the Local Planning Authority.</p> <p>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.</p>  |
| 7 | <p>Water efficiency</p> <p>The development hereby approved shall achieve a maximum internal water use of 105litres/person/day, and 5 litres/person/day for external water use.</p>  |

|    |   |
|----|---|
|    | Reason: To ensure the development contributes to minimising the need for further water infrastructure in an area of water stress in accordance with Camden Local Plan policy CC3.   |
| 8  | <p>Non-road mobile machinery</p> <p>No non-road mobile machinery (NRMM) shall be used on the site unless it is compliant with the NRMM Low Emission Zone requirements (or any superseding requirements) and until it has been registered for use on the site on the NRMM register (or any superseding register).</p> <p>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 Camden Local Plan policies A1 and CC4.</p>  |
| 9  | <p>Noise levels</p> <p>The design and structure of the development shall be of such a standard that it will protect residents within it from existing external noise so that they are not exposed to levels indoors of more than 35 dB LAeq 16 hrs daytime and of more than 30 dB LAeq 8 hrs in bedrooms at night.</p> <p>Reason: To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by noise in accordance with policy A1 of the Camden Local Plan 2017.</p>  |
| 10 | <p>Vibration</p> <p>No vibration shall be transmitted to adjoining or other premises and structures through the building structure and fabric of this development as to cause a vibration dose value of greater than 0.4m/s (1.75) 16 hour day-time nor 0.26 m/s (1.75) 8 hour night-time as defined by BS 6472 (2008) in any part of a residential and other noise sensitive property.</p> <p>Reason: To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by noise in accordance with policy A1 of the Camden Local Plan 2017.</p>             |
| 11 | <p>Sound insulation – residential</p> <p>Prior to commencement of above ground works, details shall be submitted to and approved in writing by the Council, of an enhanced sound insulation value <math>D_{nT,w}</math> and <math>L'_{nT,w}</math> of at least 5dB above the Building Regulations value, for the floor/ceiling/wall structures separating different types of rooms/ uses in adjoining dwellings, [eg. living room and kitchen above bedroom of separate dwelling]. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.</p> |

|    |  |
|----|--|
|    | <p>Reason: To ensure that the amenity of occupiers of the development site is not adversely affected by noise in accordance with policy A1 of the Camden Local Plan 2017.</p>  |
| 12 | <p>Sound insulation – commercial</p> <p>Prior to commencement of above ground works, details shall be submitted to and approved in writing by the Council, of the sound insulation of the floor/ ceiling/ walls separating the commercial part(s) of the premises from noise sensitive premises. Details shall demonstrate that the sound insulation value <math>D_{nT,w}</math> and <math>L'_{nT,w}</math> is enhanced by at least 10dB above the Building Regulations value and, where necessary, additional mitigation measures are implemented to contain commercial noise within the commercial premises and to achieve the criteria of BS8233:2014 within noise sensitive premises. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.</p> <p>Reason: To ensure that the amenity of occupiers of the development site/ adjacent dwellings/ noise sensitive premises is not adversely affected by noise in accordance with policy A1 of the Camden Local Plan 2017.</p> |
| 13 | <p>Noise – plant</p> <p>In respect of any proposed mechanical ventilation or associated plant, the applicant shall ensure that the existing background noise level is not increased when measured one metre from the nearest noise sensitive elevation. In order to achieve this the plant must be designed / selected or the noise attenuated so that it is 10dB below the existing background level. This will maintain the existing noise climate and prevent 'ambient noise creep'.</p> <p>Reason: To ensure that the amenity of occupiers of the development site/ adjacent dwellings/ noise sensitive premises is not adversely affected by noise in accordance with policy A1 of the Camden Local Plan 2017.</p>  |
| 14 | <p>Archaeology</p> <p>No demolition or development (save for demolition to ground level) shall take place until a written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, which shall include the statement of significance and research objectives, and;</p> <p>A) The programme and methodology of site investigation and recording and the nomination of a competent person (s) or organisation to undertake the agreed works;<br/> B) Where appropriate, details or a programme for delivering related positive public benefits;<br/> C) The programme for post-investigation assessment and subsequent analysis, publication &amp; dissemination and deposition of resulting material. This part of the</p>  |

|    |  |
|----|--|
|    | <p>condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.</p> <p>Reason: Important archaeological remains may exist on this site. Accordingly the Local planning authority wishes to secure the provision of archaeological investigation and the subsequent recording of the remains prior to development in accordance with the requirements of policy D2 of the London Borough of Camden Local Plan 2017.</p>  |
| 15 | <p>Cycle parking – long stay</p> <p>Prior to first occupation of each block, the following bicycle parking shall be provided in accordance with the approved plans:</p> <ul style="list-style-type: none"> <li>- secure and covered parking for 252 resident's bicycles (general needs)</li> </ul> <p>All such facilities shall thereafter be permanently maintained and retained.</p> <p>Reason: To ensure that the scheme makes adequate provision for cycle users in accordance with Camden Local Plan policies T1 and T2, the London Plan and CPG Transport.</p> |
| 16 | <p>Cycle parking – short stay</p> <p>Prior to first occupation, the following bicycle parking shall be provided in accordance with the approved plans:</p> <ul style="list-style-type: none"> <li>- 8 short-term spaces</li> </ul> <p>All such facilities shall thereafter be permanently maintained and retained.</p> <p>Reason: To ensure that the scheme makes adequate provision for cycle users in accordance with Camden Local Plan policies T1 and T2, the London Plan and CPG Transport.</p>   |
| 17 | <p>Part M4 (2) – Adaptable units</p> <p>All other units not indicated as Part M4(3) on the plan numbers and Design and Access Statement hereby approved shall be designed and constructed in accordance with Building Regulations Part M4 (2) (adaptable dwellings).</p> <p>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 policies H1 and H6 of the Camden Local Plan 2017.</p>                               |
| 18 | <p>Part M4 (3) – Wheelchair units</p>  |



|    |   |
|----|---|
|    | <p>The units indicated as such on the plan numbers and Design and Access Statement hereby approved shall be designed and constructed in accordance with Building Regulations Part M4(3)(2)(a) for Blocks B and C (wheelchair adaptable dwellings), and in accordance with Building Regulations Part M4(3)(2)(b) for Block A (wheelchair accessible dwellings).</p> <p>Reason: To ensure that the wheelchair units would be capable of providing adequate amenity in accordance with the requirements of policies H1 and H6 of the Camden Local Plan 2017.</p>   |
| 19 | <p>Lighting Strategy</p> <p>A Lighting Strategy, with regards to bats and biodiversity impact, shall be submitted to and approved by the Council prior to occupation. Lighting on the premises shall be operated accordingly permanently thereafter.</p> <p>Reason: To ensure an environment which conserves and enhances wildlife habitats and biodiversity measures within the development, in accordance with the requirements of the London Plan and Policies A3 and CC2 of the London Borough of Camden Local Plan 2017.</p>   |
| 20 | <p>Bird and bat boxes</p> <p>Prior to commencement of above ground works, a plan showing details of eight bird and six 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 details should include 4 swift boxes and 6 bat boxes to be integrated into the fabric of the building, and a further four bird boxes to either be integrated into the fabric of the building or affixed to the outside of the building</p> <p>The boxes shall be installed in accordance with the approved plans prior to the occupation of the development and thereafter retained.</p> <p>Reason: In order to secure appropriate features to conserve and enhance wildlife habitats and biodiversity measures within the development, in accordance with the requirements of the London Plan, and Policies A3 and CC2 of the London Borough of Camden Local Plan 2017.</p> |
| 21 | <p>Secured by Design</p> <p>Prior to construction proof that the plans can achieve secured by design accreditation must be submitted to and approved by the local planning authority.</p> <p>Reason: To ensure that the development mitigates the risk of burglary and antisocial behaviour.</p>  |
| 22 | <p>Landscaping plans</p>  |

|    |  |
|----|--|
|    | <p>Prior to the commencement of above ground works, full details of hard and soft landscaping and means of enclosure of all un-built – including details of 38 new trees and open areas shall be submitted to and approved by the local planning authority in writing. Such details shall include details of native species and species selected for biodiversity, any proposed replacement planting and post planting maintenance, earthworks including grading, mounding and other changes in ground levels. The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.</p> <p>Reason: To ensure that the development achieves a high quality of landscaping which contributes to the visual amenity and character of the area in accordance with the requirements of policies A2, A3, D1 of the London Borough of Camden Local Plan 2017.</p>   |
| 23 | <p><b>Landscaping</b></p> <p>All hard and soft landscaping works shall be carried out in accordance with the approved landscape details by not later than the end of the planting season following completion of the development or any phase of the development. Any trees or areas of planting (including trees existing at the outset of the development other than those indicated to be removed) which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced as soon as is reasonably possible and, in any case, by not later than the end of the following planting season, with others of similar size and species, unless the local planning authority gives written consent to any variation.</p> <p>Reason: To ensure that the landscaping is carried out within a reasonable period and to maintain a high quality of visual amenity in the scheme in accordance with the requirements of policies A2, A3, A5 and D1 of the London Borough of Camden Local Plan 2017.</p> |
| 24 | <p><b>Tree protection</b></p> <p>Prior to the commencement of construction/demolition works on site, tree protection measures shall be installed in accordance with the approved Arboricultural Method Statement and Tree Protection Plan. The protection shall then remain in place for the duration of works on site and recommendations made in the method statement followed, unless otherwise agreed in writing by the local authority.</p> <p>Reason: To ensure that the development will not have an adverse effect on existing trees and in order to maintain the character and amenity of the area in accordance with the requirements of policies A2 and A3 of the London Borough of Camden Local Plan 2017.</p>   |
| 25 | <p><b>SuDS: Evidence of Installation</b></p>   |

|    |   |
|----|---|
|    | <p>Prior to occupation, evidence that the system has been implemented in accordance with the approved details as part of the development shall be submitted to the Local Planning Authority and approved in writing. The systems shall thereafter be retained and maintained in accordance with the approved maintenance plan, with confirmation provided regarding who will own the maintenance of the implemented SuDS features.</p> <p>Reason: To reduce the rate of surface water run-off from the buildings and limit the impact on the storm-water drainage system in accordance with policies CC2 and CC3 of the London Borough of Camden Local Plan Policies.</p> |
| 26 | <p>Electric vehicle charging</p> <p>Details of electric vehicle charging points, shall be submitted to and approved by the local planning authority.</p> <p>Reason: To ensure the development encourages sustainable transport modes in accordance with policies T1, T2, CC1 and CC2 of the London Borough of Camden Local Plan Policies.</p>   |
| 27 | <p><b>**Quantum of housing</b></p> <p>The development hereby approved shall provide 139 residential units (Class C3) consisting of 93 market units, 36 social rented units and 10 Camden Living (intermediate) units.</p> <p>Reason: To ensure the provision of housing, including affordable housing, in accordance with policies H1 and H4 of the Camden Local Plan.</p>  |
| 28 | <p>Green roofs</p> <p>Prior to commencement of above ground development, further details of the green roofs (design, sections, species and maintenance) are to be submitted to and approved by the Council, to follow the recommendations in the Ecological Assessment Report. The green roofs shall thereafter be constructed in accordance with the approved details prior to occupation of the relevant block, and they shall thereafter be retained and maintained in accordance with those details.</p> <p>Reason: To ensure the development is sustainable and promotes biodiversity in line with Camden Local Plan policies CC1, CC3 and A3.</p>                   |
| 29 | <p>Network Rail</p> <p>Prior to implementation, evidence that Network Rail have no objections to the construction works, shall be submitted to and approved by the Council (in consultation with TfL).</p> <p>Reason: To ensure the works have no structural impact on Network Rail property.</p>   |

|    |  |
|----|--|
|    |  |
| 30 | <p data-bbox="300 237 424 271"><b>Solar PV</b></p> <p data-bbox="300 309 1426 562">Prior to commencement of development (except demolition), a feasibility assessment including overshadowing assessment and maintenance plan with the aim of maximising the provision of solar photovoltaics, to include 163 Solar PV panels providing 57kWp, should be submitted to the local planning authority and approved in writing. The buildings shall not be occupied until the approved details have been implemented and these works shall be permanently retained and maintained thereafter.</p> <p data-bbox="300 600 1358 712">Reason: To ensure the development provides adequate on-site renewable energy facilities in accordance with policies CC1 and CC2 of the London Borough of Camden Local plan Policies.</p>   |
| 31 | <p data-bbox="300 748 951 786"><b>**‘Be Seen’ energy monitoring &amp; sustainability</b></p> <p data-bbox="300 824 1426 1301">a) Prior to each Building being occupied, the Owner shall provide updated accurate and verified ‘as-built’ design estimates of the ‘Be Seen’ energy performance indicators for each Reportable Unit of the development, as per the methodology outlined in the ‘As-built stage’ chapter / section of the GLA ‘Be Seen’ energy monitoring guidance (or any document that may replace it). All data and supporting evidence should be submitted to the GLA using the ‘Be Seen’ as-built stage reporting webform (<a href="https://www.london.gov.uk/what-we-do/planning/implementing-london-plan/london-plan-guidance-and-spgs/be-seen-energy-monitoring-guidance">https://www.london.gov.uk/what-we-do/planning/implementing-london-plan/london-plan-guidance-and-spgs/be-seen-energy-monitoring-guidance</a>). The owner should also confirm that suitable monitoring devices have been installed and maintained for the monitoring of the in-use energy performance indicators, as outlined in the ‘In-use stage’ of the GLA ‘Be Seen’ energy monitoring guidance document (or any document that may replace it).</p> <p data-bbox="395 1339 1426 1921">b) Upon completion of the first year of Occupation or following the end of the Defects Liability Period (whichever is the later) and at least for the following four years after that date, the Owner is required to provide accurate and verified annual in-use energy performance data for all relevant indicators under each Reportable Unit of the development as per the methodology outlined in the ‘In-use stage’ chapter / section of the GLA ‘Be Seen’ energy monitoring guidance document (or any document that may replace it). All data and supporting evidence should be submitted to the GLA using the ‘Be Seen’ in-use stage reporting webform (<a href="https://www.london.gov.uk/what-we-do/planning/implementing-london-plan/london-plan-guidance-and-spgs/be-seen-energy-monitoring-guidance">https://www.london.gov.uk/what-we-do/planning/implementing-london-plan/london-plan-guidance-and-spgs/be-seen-energy-monitoring-guidance</a>). This obligation will be satisfied after the Owner has reported on all relevant indicators included in the ‘In-use stage’ chapter of the GLA ‘Be Seen’ energy monitoring guidance document (or any document that may replace it) for at least five years.</p> <p data-bbox="395 1960 1410 2027">c) In the event that the ‘In-use stage’ evidence submitted under Clause b) shows that the ‘As-built stage’ performance estimates derived from</p> |

|    |  |
|----|--|
|    | <p>Clause a) have not been or are not being met, the Owner should investigate and identify the causes of underperformance and the potential mitigation measures and set these out in the relevant comment box of the 'Be Seen' in-use stage reporting webform. An action plan comprising measures identified in Clause b) shall be submitted to and approved in writing by the GLA, identifying measures which would be reasonably practicable to implement and a proposed timescale for implementation. The action plan and measures approved by the GLA should be implemented by the Owner as soon as reasonably practicable.</p> <p>d) A HQM 4 star rating shall be achieved.</p> <p>e) 95% of demolition waste shall be diverted from landfill to be reused or recycled.</p> <p><b>Definitions</b></p> <p>"Defects Liability Period" means such period of time following Practical Completion of a Building in which a contractor may remedy defects as may be included in the building contract for the relevant Building;</p> <p>"Reportable Unit" means a Reportable Unit (Energy Centre), Reportable Unit (Residential) or Reportable Unit (Non-Residential);</p> <p>"Reportable Unit (Energy Centre)" means either a connection to a third-party District Heating Network, a self-contained Energy Centre serving multiple residential/non-residential properties (within the Site) or a self-contained energy system serving multiple residential properties (within a Block or Building);</p> <p>"Reportable Unit (Residential)" means an individual Block or Building of five or more flats or a group of five or more houses;</p> <p>"Reportable Unit (Non-Residential)" means a Building with a single occupier/tenant (including block of flats' communal areas) or a Building with multiple tenants;</p> <p><b>Reason:</b> To ensure the development provides adequate on-site renewable energy facilities and contributes to minimising the need for further water infrastructure in an area of water stress in accordance with policies CC1 and CC2 of the London Borough of Camden Local plan Policies.</p> |
| 32 | <p><b>Air Quality Monitoring</b></p> <p>No development shall take place until</p> <p>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 will be installed in line with guidance outlined in the GLA's Control of Dust and Emissions during Construction and Demolition Supplementary Planning Guidance;</p> <p>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.</p>  |

|    |  |
|----|--|
|    | <p>The monitors shall be retained and maintained on site for the duration of the development works in accordance with the details thus approved.</p> <p>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 Policies.</p>  |
| 33 | <p><b>Mechanical Ventilation</b></p> <p>Prior to commencement of above-ground development, 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 any boiler stack, kitchen exhausts or any other emission sources 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.</p> <p>Reason: To protect the amenity of residents in accordance with London Borough of Camden Local Plan Policy CC4 and London Plan policy SI 1.</p>   |
| 34 | <p><b>**Construction monitoring report</b></p> <p>Within 3 months of occupation , a post construction monitoring report should be completed in line with the GLA's Circular Economy Statement Guidance. The post-construction monitoring report shall be submitted to the GLA, currently via email at: <a href="mailto:circulareconomystatements@london.gov.uk">circulareconomystatements@london.gov.uk</a>, along with any supporting evidence as per the guidance. Confirmation of submission to the GLA shall be submitted to, and approved in writing by, the local planning authority, prior to occupation of the [development/ phase of development].</p> <p>Reason: In the interests of sustainable waste management and in order to maximise the re-use of materials. In accordance with policies CC1 and CC5 of the Camden Local Plan 2017.</p> |
| 35 | <p><b>Fire Statement</b></p> <p>The development must be carried out in accordance with the provisions of the Fire Statement prepared by OFR dated 04/04/2022 unless otherwise approved in writing by the Local Planning Authority.</p> <p>Reason: To ensure that the development incorporates the necessary fire safety measures in accordance with the Mayor's London Plan Policy D12.</p>  |
| 36 | <p><b>Piling</b></p> <p>No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in</p>  |



|    |  |
|----|--|
|    | <p>consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.</p> <p>Reason: The proposed works will be in close proximity to underground water utility infrastructure. Piling has the potential to impact on local underground water utility infrastructure and needs to be managed in accordance with policy A1 of the Camden Local Plan.</p>   |
| 37 | <p>Secure by Design</p> <p>Prior to the first occupation of the development, evidence of Secured by Design Certification shall be submitted to the Local Planning Authority to be agreed in writing, or justification shall be submitted where the accreditation requirements cannot be met. Secure by Design measures shall be implemented and the development shall be retained in accordance with the approved details.</p> <p>Reason: To ensure the proposals are safe and secure in accordance with Camden Local Plan policy C5.</p>  |
| 38 | <p>Retention of architect</p> <p>Prior to commencement of above-ground development, written notice shall be submitted to the Council confirming that the architect has been retained and will continue to be retained to oversee the delivery of the design quality of the Development:</p> <p>(a) in accordance with the Approved Drawings; and</p> <p>(b) In relation to the design details required in condition 3</p> <p>Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of Camden Local Plan policy D1.</p> |
| 39 | <p><b>**Delivery Servicing Plan</b></p> <p>Prior to occupation, a Delivery Servicing Plan (DSP) shall be submitted to and approved by the local planning authority.</p> <p>The measures contained in the DSP shall at all times remain implemented.</p> <p>Reason: In order to protect the pedestrian environment and the amenities of the area generally and to ensure the continued free flow of traffic in the area in accordance with policy T1 of the Camden Local Plan 2017.</p>   |
| 40 | <p><b>** Car free</b></p> <p>The proposals will be car free. Future occupants will not be eligible for a parking permit.</p>   |

|    |  |
|----|--|
|    | <p>Reason: In order to protect the pedestrian environment and the amenities of the area generally and to ensure the continued free flow of traffic in the area in accordance with Policies CS5 and CS11 of the London Borough of Camden Local Development Framework Core Strategy and policies DP16, DP17 and DP26 of the London Borough of Camden Local Development Framework Development Policies.</p>   |
| 41 | <p><b>**Construction Management Plan + Implementation support contribution + bond</b></p> <p>Prior to commencement of development, including demolition, a Construction Management Plan (CMP) including an Air Quality Assessment) shall be submitted to and approved by the local planning authority.<br/>The CMP shall set out all measures that the Owner will adopt in undertaking the demolition of the existing buildings and the construction of the Development using good site practices in accordance with the Council's Considerate Contractor Manual.</p> <p>Such plan shall include measures for ensuring highway safety and managing transport, deliveries and waste (including recycling of materials) throughout the demolition and construction periods and which demonstrates consideration of and liaison with other local concurrent developments. The plan shall also include details of a community working group involving local residents and businesses, a contractor complaints/call-line and measures to be carried out to mitigate the impact of the noise arising from construction and demolition activities on local residents and businesses, a waste management strategy and means of monitoring and reviewing the plan from time to time.</p> <p>The measures contained in the Construction Management Plan shall at all times remain implemented during all works of construction and demolition. Where separate Construction Management Plans are submitted for the demolition and the construction phases the provisions of this condition will apply to both plans.</p> <p>Reason: In order to protect the pedestrian environment and the amenities of the area generally and to ensure the continued free flow of traffic in the area in accordance with policy T1 of the Camden Local Plan 2017.</p> |
| 42 | <p><b>** Pedestrian and Environmental Improvements contribution</b></p> <p>On or prior to Implementation, confirmation that the necessary measures for the provision of pedestrian, cycling, environmental and public realm improvements in the vicinity of the Development shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>Reason: To ensure that the pedestrian environment and public realm is maintained and improved in accordance with policy T1 of the Camden Local Plan 2017.</p>  |

|    |   |
|----|---|
| 43 | <p><b>** Highways works</b></p> <p>On or prior to the Implementation Date, confirmation that the necessary measures to secure highways improvements around the development shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>Reason: To ensure that the pedestrian environment and public realm is maintained and improved in accordance with policy T1 of the Camden Local Plan 2017.</p>  |
| 44 | <p><b>** Stopping-up order</b></p> <p>Prior to implementation, a stopping-up order, will be submitted to and approved by the highway authority.</p> <p>Reason: To ensure any public rights of way are legally closed before being developed.</p>  |
| 45 | <p><b>**Carbon offset contribution</b></p> <p>On or prior to Implementation, confirmation that the necessary measures for the provision for carbon offsetting shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>Reason: To ensure that the pedestrian environment and public realm is maintained and improved in accordance with policies CC1 and CC2 of the Camden Local Plan 2017.</p>  |
| 46 | <p><b>** Local employment</b></p> <p>Prior to commencement the applicant and/or developer shall:</p> <ul style="list-style-type: none"> <li>• work to CITB benchmarks for local employment when recruiting for construction-related jobs as per clause 8.28 of CPG8.</li> <li>• advertise all construction vacancies and work placement opportunities exclusively with the King's Cross Construction Skills Centre for a period of 1 week before marketing more widely.</li> <li>• Provide 17 apprenticeships.</li> <li>• provide a specified number (to be agreed) of construction or non-construction work placement opportunities of not less than 2 weeks each, to be undertaken over the course of the development, to be recruited through the Council's King's Cross Construction Skills Centre, or a specified number (to be agreed) of work experience placements following the completion of the building. Work experience placements can be organised through the council's work experience coordinator, Tom Humphreys, who can be contacted via <a href="mailto:Thomas.Humphreys@camden.gov.uk">Thomas.Humphreys@camden.gov.uk</a>.</li> <li>• If the build costs of the scheme exceed £3 million the applicant and/or developer shall recruit 1 construction or non-construction apprentice per £3million of build costs, and pay the council a</li> </ul> |

|    |  |
|----|--|
|    | <p>support fee of £1,700 per apprentice as per clause 8.17 of CPG8. Recruitment of construction apprentices should be conducted through the Council's King's Cross Construction Skills Centre.</p> <ul style="list-style-type: none"> <li>• If the value of the scheme exceeds £1 million, the applicant and/or developer must also sign up to the Camden Local Procurement Code, as per section 8.19 of CPG8.</li> <li>• The applicant and/or developer shall provide a local employment, skills and local supply plan setting out their plan for delivering the above requirements in advance of commencing on site.</li> </ul> <p>Reason: To ensure the development provides sufficient employment and training in line with the requirements of policy E1 of the Camden Local Plan 2017.</p>   |
| 47 | <p><b>**Early Stage Viability Review</b></p> <p>Eighteen calendar months from the date of this decision notice, where the development hereby permitted has not reached the construction progress benchmark, being the demolition of existing buildings and clearance of the site, completion of all ground preparation works, and construction of the foundations for the cores of all three blocks, or such other construction progress benchmark as may be agreed in writing with the Local Planning Authority prior to implementation, an Early Stage Viability Review shall be prepared in accordance with relevant policies and guidance published by the Mayor of London and London Borough of Camden taking account of the phase 1 development permitted under reference 2013/4678/P (as amended by 2015/1501/P, 2015/1636/P, 2015/1958/P, 2015/5147/P, 2016/4578/P and 2017/2523/P) and the phase 2 development permitted under reference 2020/2486/P (as amended by 2021/2813/P and 2022/1707/P), and shall be submitted for approval to the Local Planning Authority within 21 calendar months of the date of this decision notice.</p> <p>No part of the development hereby permitted shall be occupied until such time as the Local Planning Authority has provided written confirmation either that the construction progress benchmark has been reached or that the Early Stage Viability Review is approved.</p> <p>Reason: To secure a review of development viability at an early stage in the implementation of the development hereby permitted and so secure the maximum reasonable and viable provision of affordable housing on the site of the development hereby permitted in accordance with the requirements of policies H4 and H5 of the London Borough of Camden Local Plan 2017 and policies H4, H5 and H8 of the London Plan 2021.</p> |
| 48 | <p><b>**Early Stage Additional Affordable Housing Plan</b></p> <p>Where an Early Stage Viability Review submitted to the Local Planning Authority in accordance with relevant guidance shows the viable percentage of affordable housing is higher than the percentage of affordable housing included</p>  |

|    |   |
|----|---|
|    | <p>in the development hereby permitted, an Early Stage Additional Affordable Housing Plan shall be submitted for approval to the Local Planning Authority as soon as practical after the submission of the Early Stage Viability Review, and no later than 24 calendar months of the date of this decision notice, such Plan to set out how the maximum viable percentage of affordable housing will be delivered either through the inclusion of additional affordable housing as part of the development, or through a payment in lieu of affordable housing, as may be appropriate having regard to relevant policies and guidance published by the Mayor of London and London Borough of Camden.</p> <p>Where an Early Stage Additional Affordable Housing Plan has been submitted to the Local Planning Authority, no part of the development hereby permitted shall be occupied until such time as the Local Planning Authority has provided written confirmation that the Early Stage Additional Affordable Housing Plan has been approved and fully carried out to its satisfaction.</p> <p>Reason: To secure the maximum reasonable and viable provision of affordable housing on the site of the development hereby permitted in accordance with the requirements of policies H4 and H5 of the London Borough of Camden Local Plan 2017 and policies H4, H5 and H8 of the London Plan 2021.</p>   |
| 49 | <p><b>**Late Stage Viability Review</b></p> <p>As soon as reasonably practical after the later date of either (a) the date of issue of the Certificate of Practical Completion (being the certificate issued by the requisite contractor or project manager certifying that the development hereby permitted has been completed) or (b) the date of exchange of contracts on sale or lease of 60% (56 units) of the 93 market housing units, a Late Stage Viability Review shall be prepared in accordance with relevant policies and guidance published by the Mayor of London and London Borough of Camden taking account of the phase 1 development permitted under reference 2013/4678/P (as amended by 2015/1501/P, 2015/1636/P, 2015/1958/P, 2015/5147/P, 2016/4578/P and 2017/2523/P) and the phase 2 development permitted under reference 2020/2486/P (as amended by 2021/2813/P and 2022/1707/P) to show whether any supplementary payment in lieu of affordable housing is required, and shall be submitted for approval to the Local Planning Authority not more than one calendar month after the later of date (a) and (b).</p> <p>Completion of contracts on the sale or lease of the 93 market housing units within the development hereby permitted shall not proceed in relation to more than 75% (70 units) of the market housing units until such time as the Local Planning Authority has provided written confirmation that the Late Stage Viability Review has been approved and any required supplementary payment-in-lieu of affordable housing has been received in full.</p> <p>Reason: To secure a review of development viability when costs of and receipts from the development hereby permitted are known as far as possible and so secure the maximum reasonable and viable contribution to affordable</p> |

|    |   |
|----|---|
|    | housing from the development in accordance with the requirements of policies H4 and H5 of the London Borough of Camden Local Plan 2017 and policies H4, H5 and H8 of the London Plan 2021.  |
| 51 | <p>Need for a legal agreement</p> <p>In the event that any owners of the land have the legal locus to enter into a Section 106 Agreement no works shall be commenced on site until such time as they have entered into such an Agreement incorporating obligations in respect of the matters covered by conditions marked with ** in the planning permission Camden reference 2020/2542/P and those obligations shall apply to all conditions above marked with **.</p> <p>Reason: In order to define the permission and to secure development in accordance with policies of the London Plan and the Local Plan.</p> |

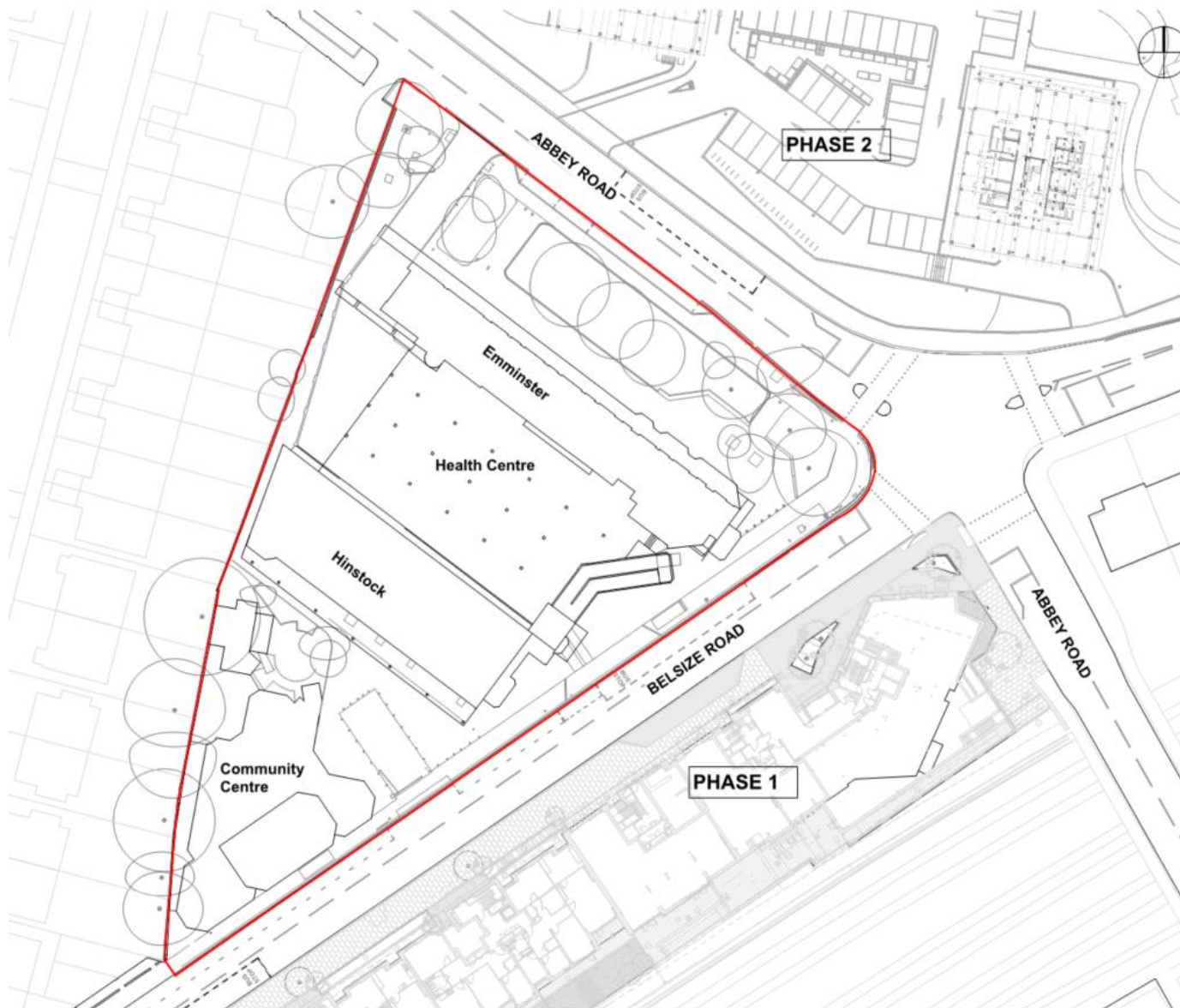


## 29 INFORMATIVES

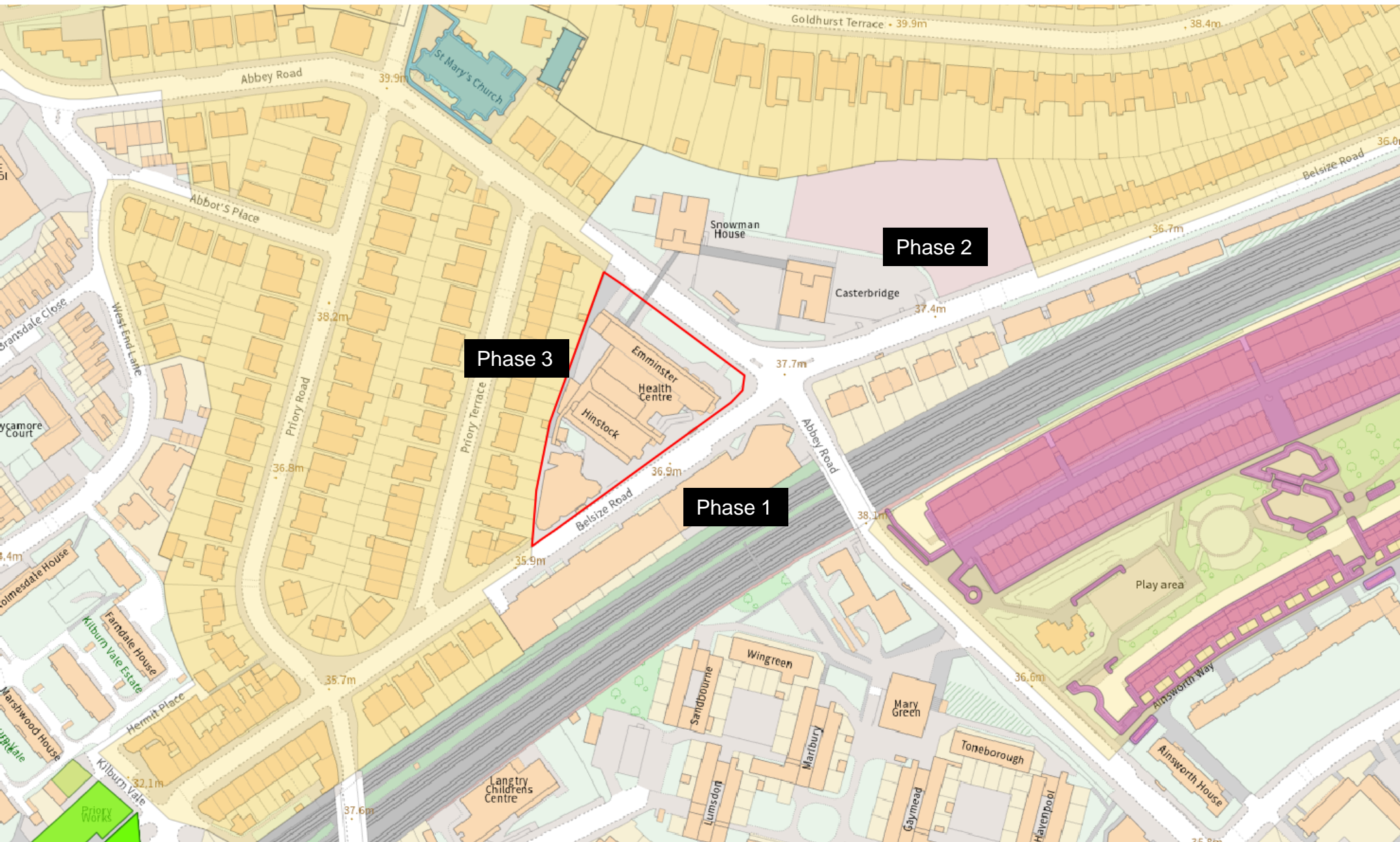
|   |  |
|---|--|
| 1 | <p>Waste comments (Thames Water)</p> <p>As you are redeveloping a site, there may be public sewers crossing or close to your development. If you discover a sewer, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. <a href="https://www.thameswater.co.uk/developers/larger-scaleddevelopments/planning-your-development/working-near-our-pipes">https://www.thameswater.co.uk/developers/larger-scaleddevelopments/planning-your-development/working-near-our-pipes</a></p> <p>There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. <a href="https://www.thameswater.co.uk/developers/larger-scaleddevelopments/planning-your-development/working-near-our-pipes">https://www.thameswater.co.uk/developers/larger-scaleddevelopments/planning-your-development/working-near-our-pipes</a></p> <p>The proposed development is located within 15 metres of Thames Waters underground assets and as such, the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures. <a href="https://developers.thameswater.co.uk/Developing-a-large-site/Planning-yourdevelopment/Working-near-or-diverting-our-pipes">https://developers.thameswater.co.uk/Developing-a-large-site/Planning-yourdevelopment/Working-near-or-diverting-our-pipes</a>. Should you require further information please contact Thames Water. Email: <a href="mailto:developer.services@thameswater.co.uk">developer.services@thameswater.co.uk</a> Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB</p> <p>A Trade Effluent Consent will be required for any Effluent discharge other than a 'Domestic Discharge'. Any discharge without this consent is illegal and may result in prosecution. (Domestic usage for example includes - toilets, showers, washbasins, baths, private swimming pools and canteens). Typical Trade Effluent processes include:</p> <ul style="list-style-type: none"><li>- Laundrette/Laundry, PCB manufacture, commercial swimming pools, photographic/printing, food preparation, abattoir, farm wastes, vehicle washing, metal plating/finishing, cattle market wash down, chemical manufacture, treated cooling water and any other process which produces contaminated water. Pre-treatment, separate metering, sampling access etc may be required before the Company can give its consent.</li></ul> <p>Applications should be made at <a href="https://wholesale.thameswater.co.uk/Wholesale-services/Business-customers/Trade-effluent">https://wholesale.thameswater.co.uk/Wholesale-services/Business-customers/Trade-effluent</a> or alternatively to Waste Water Quality, Crossness STW, Belvedere Road, Abbeywood, London. SE2 9AQ. Telephone: 020 3577 9200.</p> <p>As per Building regulations part H paragraph 2.21, Drainage serving kitchens in commercial hot food premises should be fitted with a grease separator</p> |
|---|--|

|   |   |
|---|---|
|   | <p>complying with BS EN 1825-:2004 and designed in accordance with BS EN 1825-2:2002 or other effective means of grease removal. Thames Water further recommend, in line with best practice for the disposal of Fats, Oils and Grease, the collection of waste oil by a contractor, particularly to recycle for the production of bio diesel. Failure to implement these recommendations may result in this and other properties suffering blocked drains, sewage flooding and pollution to local watercourses. Please refer to our website for further information : <a href="http://www.thameswater.co.uk/help">www.thameswater.co.uk/help</a></p>  |
| 2 | <p>Water Comments (Thames Water)</p> <p>The proposed development is located within 15m of Thames Waters underground assets, as such the development could cause the assets to fail if appropriate measures are not taken. Please read our guide ‘working near our assets’ to ensure your workings are in line with the necessary processes you need to follow if you’re considering working above or near our pipes or other structures.<br/> <a href="https://www.thameswater.co.uk/developers/larger-scale-evelopments/planning-your-development/working-nearour-pipes">https://www.thameswater.co.uk/developers/larger-scale-evelopments/planning-your-development/working-nearour-pipes</a></p> <p>Should you require further information please contact Thames Water. Email: <a href="mailto:developer.services@thameswater.co.uk">developer.services@thameswater.co.uk</a></p>  |
| 3 | <p>Non-road mobile machinery</p> <p>Non-road mobile machinery (NRMM) is any mobile machine or vehicle that is not solely intended for carrying passengers or goods on the road. The Emissions requirements are only applicable to NRMM that is powered by diesel, including diesel hybrids. For information on the NRMM Low Emission Zone requirements and to register NRMM, please visit “<a href="http://nrmm.london/">http://nrmm.london/</a>”.</p>  |
| 4 | <p>Cadent Gas</p> <p><b>What you need to do</b></p> <p>To prevent damage to our assets or interference with our rights, please add the following Informative Note into the Decision Notice:</p> <p>Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. There may be a legal interest (easements and other rights) in the land that restrict activity in proximity to Cadent assets in private land. The applicant must ensure that the proposed works do not infringe on legal rights of access and or restrictive covenants that exist.</p> <p>If buildings or structures are proposed directly above the apparatus the development may only take place following diversion of the apparatus. The applicant should apply online to have apparatus diverted in advance of any works, by visiting <a href="http://cadentgas.com/diversions">cadentgas.com/diversions</a>.</p> <p>Prior to carrying out works, including the construction of access points, please register on <a href="http://www.linesearchbeforeudig.co.uk">www.linesearchbeforeudig.co.uk</a> to submit details of the planned works for review, ensuring requirements are adhered to.</p> |

|   |
|---|
| <p><b>Your responsibilities and obligations</b></p> <p>Cadent may have a Deed of Easement on the pipeline, which provides us with a right of access for a number of functions and prevents change to existing ground levels, storage of materials. It also prevents the erection of permanent/temporary buildings, or structures. If necessary Cadent will take action to legally enforce the terms of the easement.</p> <p>This letter does not constitute any formal agreement or consent for any proposed development work either generally or related to Cadent's easements or other rights, or any planning or building regulations applications.</p> <p>Cadent Gas Ltd or their agents, servants or contractors do not accept any liability for any losses arising under or in connection with this information. This limit on liability applies to all and any claims in contract, tort (including negligence), misrepresentation (excluding fraudulent misrepresentation), breach of statutory duty or otherwise. This limit on liability does not exclude or restrict liability where prohibited by the law nor does it supersede the express terms of any related agreements.</p> |
|---|



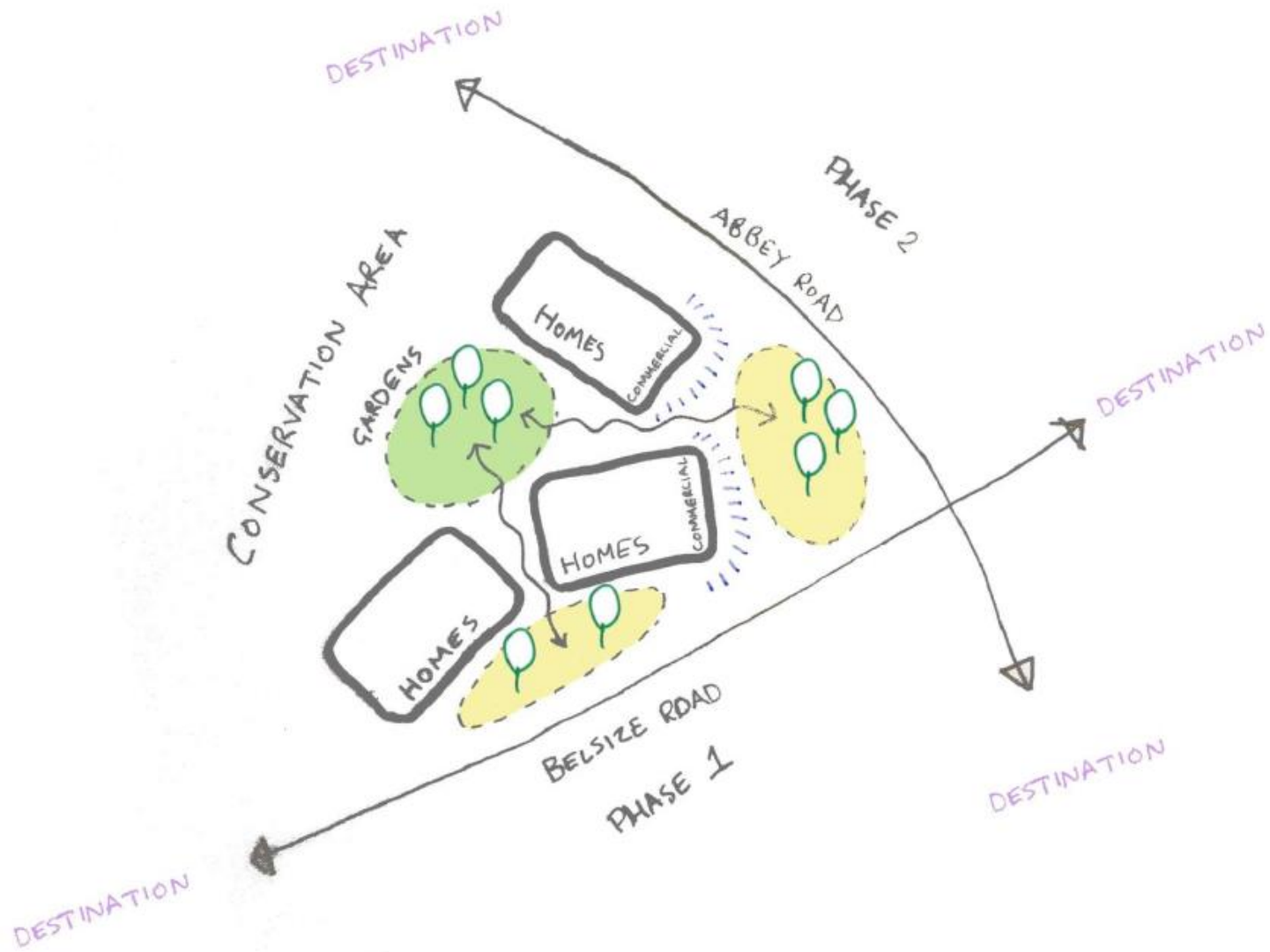




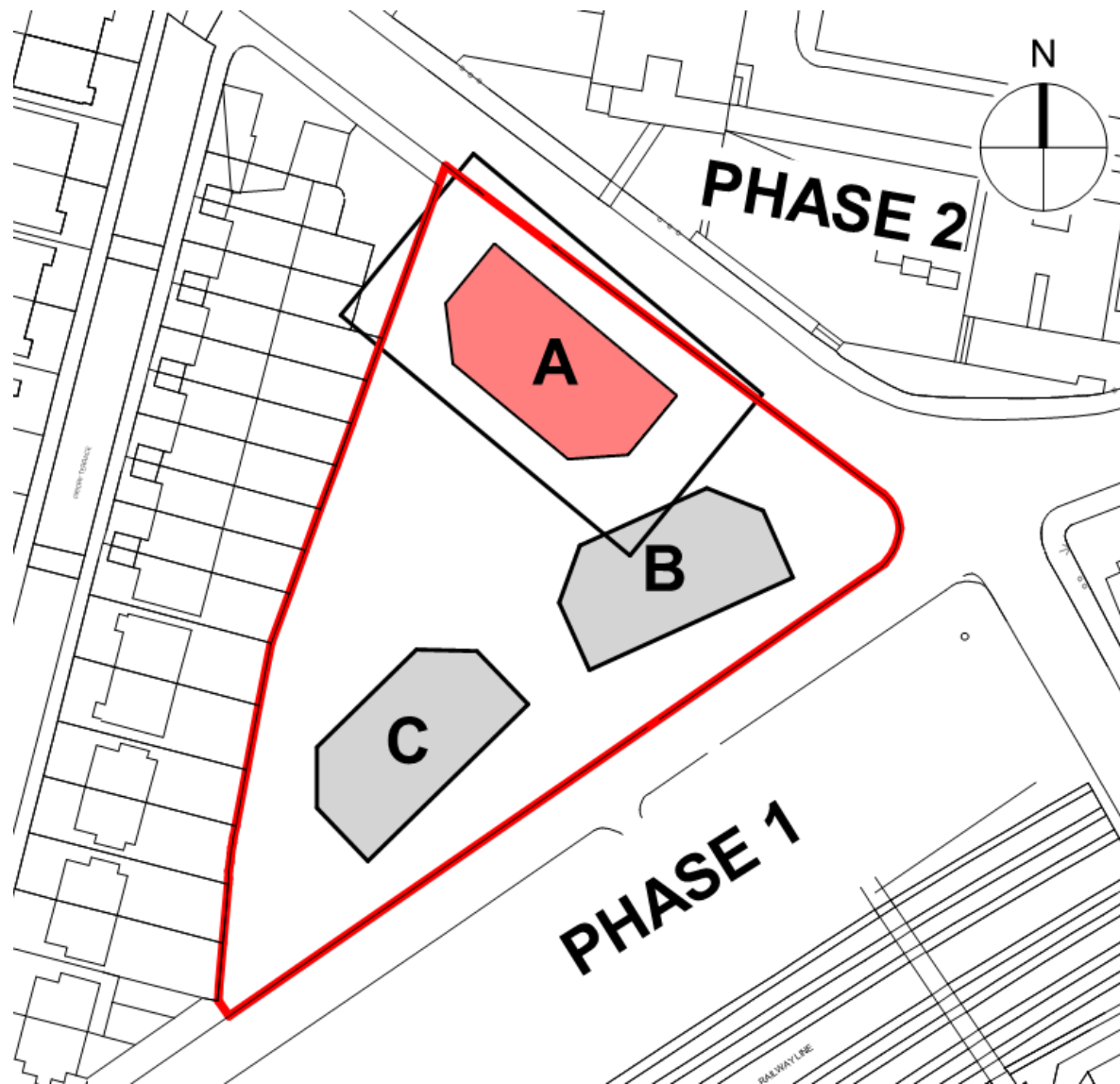




















Elevation showing proposal - Abbey Road



Elevation showing proposal - Belsize Road

























1. GARDEN OF TERRACE COURTYARD
2. STREET FRONTAGE COMMERCIAL SPILL OUT
3. CENTRAL HARD LANDSCAPE SEATING/SOCIAL AREA
4. PROGRAMMATIC PLAY SPACE
5. STEPPED LANDSCAPE PROVIDING LEVEL CHANGES
6. STANDARD CYCLE STORAGE/SUBSTATION
7. CARGO BIKE STORAGE
8. ACCESS TO COURTYARD
9. ARRIVAL THRESHOLDS TO BLOCKS
10. DEFENSIBLE SOFT LANDSCAPE
11. ABBEY AREA PHASE 2
12. DROP-OFF/LOADING BAY & DISABLED PARKING
13. RAIN GARDENS
14. EXISTING TREES RETAINED
15. ABBEY AREA PHASE 1

## APPENDIX 1 - Independent Viability Review (BPS)

# Abbey Road Phase 3, Belsize Road, NW6 4DX

## Independent Viability Review

Prepared on behalf of the London Borough of Camden

17<sup>th</sup> August 2022

Planning Reference: 2022/2542/P (full application)



215a High Street, Dorking RH4 1RU  
[www.bps-surveyors.co.uk](http://www.bps-surveyors.co.uk)

---

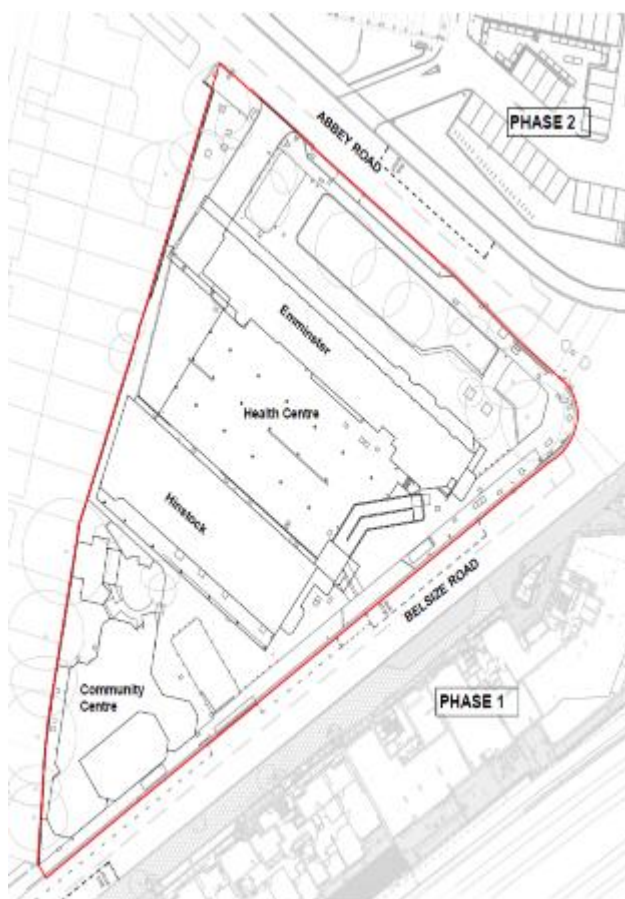
**CONTENTS**

|     |  |    |
|-----|--|----|
| 1.0 | INTRODUCTION.....                            | 2  |
| 2.0 | SUMMARY TABLE.....                           | 6  |
| 3.0 | CONCLUSIONS AND RECOMMENDATIONS.....         | 7  |
|     | Benchmark Land Value .....                   | 7  |
|     | Development Value .....                      | 7  |
|     | Development Costs.....                       | 8  |
|     | Recommendations .....                        | 8  |
| 4.0 | PRINCIPLES OF VIABILITY ASSESMENT .....      | 8  |
| 5.0 | BENCHMARK LAND VALUE.....                    | 10 |
|     | Viability Benchmarking .....                 | 10 |
|     | The Proposed Benchmark.....                  | 12 |
|     | BPS Assessment of Benchmark Land Value ..... | 12 |
| 6.0 | DEVELOPMENT VALUES .....                     | 13 |
|     | Private Residential Values.....              | 13 |
|     | Ground Rents .....                           | 14 |
|     | Parking .....                                | 15 |
|     | Affordable Residential Values .....          | 15 |
|     | Commercial Valuation.....                    | 16 |
| 7.0 | DEVELOPMENT COSTS .....                      | 20 |
|     | Construction Costs .....                     | 20 |
|     | Additional Costs .....                       | 20 |
|     | Profit .....                                 | 21 |
|     | Development Timeframes .....                 | 21 |
| 8.0 | AUTHOR SIGN OFF .....                        | 23 |
|     | Appendix 1: Build Cost Report .....          | 24 |



## 1.0 INTRODUCTION

- 1.1 BPS Chartered Surveyors have been instructed by the London Borough of Camden ('the Council') to undertake a review of a Financial Viability Assessment (FVA) prepared by Gerald Eve ('GE') on behalf of The London Borough of Camden ('the Applicant') in connection with a planning application for the redevelopment of the above site. The FVA states that the scheme is to be delivered by Wates Residential.
- 1.2 The site extends to 0.565 hectares (1.40 acres) currently comprises a health and community centre, retail and leisure units and 74 affordable housing units in one 5 storey and one 7 storey block.
- 1.3 The site is the final phase of the Abbey Road Estate Regeneration Scheme. This phase of the scheme is close to but not adjacent to the railway line and the scheme as a whole is surrounded largely by terraced and semi-detached period housing which has largely been converted to flats. In addition, a further large public housing scheme is located to the south of the railway line. Phase 2 of the scheme to the north east is understood to be currently under construction.
- 1.4 We refer to Camden Local Plan 2017 Policy H4 which states: *'We will seek to ensure that where development sites are split or separate proposals are brought forward for closely related sites, the appropriate affordable housing contribution is comprehensively assessed for all the sites together. The Council will seek to use planning obligations to ensure that all parts or phases of split or related sites make an appropriate affordable housing contribution.'*
- 1.5 We have therefore assessed the Estate Generation Scheme as a whole rather than just the Phase proposed under this application, in line with the FVA.
- 1.6 The site is located adjacent to the Priory Road Conservation Area. The buildings on the existing site are not listed although the site under an Article 4 (basements) constraint.
- 1.7 The site plan for Phase 3 provided in the FVA is reproduced below:



1.8 The proposals are for:

*'Demolition and redevelopment of Emminster and Hinstock blocks including Belsize Priory Health Centre, Abbey Community Centre, public house and commercial units to provide new residential accommodation (Use Class C3) and ground floor commercial space (Use Class E/Sui Generis) to be used as flexible commercial units, across three buildings ranging from 4 to 11 storeys, along with car and bicycle parking, landscaping and all necessary ancillary and enabling works.'*

The FVA states that the scheme comprises 139 residential units (46 affordable) and commercial/retail and that this application has been considered in comparison to an extant permission for Phase 3 offering 100 units (48 affordable) and commercial space.

- 1.9 The basis of our review is the Site Specific Financial Viability Assessment prepared by Gerald Eve, dated May 2022, which concludes that the scheme currently shows a deficit of approximately £23.98m and therefore no additional affordable housing can viably be offered.
- 1.10 We have downloaded documents available on the Council's planning website.
- 1.11 We have received a live version of the Argus appraisals included in the report.
- 1.12 We have assessed the cost and value inputs within the financial appraisal in order to determine whether the scheme can viably make any affordable housing contributions.
- 1.13 We have searched the Council's planning website and have identified the following recent or outstanding planning applications relating to the site:

2012/0096/P - Outline application for phased redevelopment of site to provide up to 296 residential (Class C3) units (including up to 133 affordable units), up to 1,300 sqm of commercial floor space (Class A1-A5), up to 1,055sqm of business floorspace (Class B1), up to 2,500sqm community and health floorspace (Class D1) and associated space for parking, plant, servicing, ancillary storage and energy centre, all in five buildings as follows: Block C (up to 2 and 3 storey community and health uses), Blocks A, B, D and E (predominantly up to 6 and 7 storeys residential and commercial uses) and Block A (up to 6 to 12 storeys of residential and commercial uses); provision of open space and landscaping; alterations to existing highway layout and creation of new vehicular and pedestrian access routes; all following demolition of Belsize car park building, Abbey Coop Community Centre and Hinstock and Emminster blocks (including Belsize Priory Health centre, residential and commercial units), site-wide walkways and pedestrian railway bridge. Application provides detail for approval of layout and access only and not scale, appearance or landscaping. Granted July 2012.

2013/4678/P - Hybrid application for phased redevelopment of site, comprising detailed application for Phase 1 and outline application for layout and access only for Phases 2 and 3 (scale, appearance and landscaping are reserved matters). Full details provided for Phase 1 comprising: up to 141 residential units (including up to 66 affordable units) in a 14 storey tower and 6 storey block, with 522.5 sq m of retail floorspace (Class A1) and 398.9 sq m of flexible commercial floorspace (Classes A1-A5 and B1) at ground floor and associated space for parking, plant, servicing, ancillary storage and energy centre at basement level. Phase 1 includes open space and landscaping, alterations to existing highway layout and creation of new access routes, following demolition of the Belsize Road car park building. Phase 2 to comprise up to 2,500 sq m of community and health uses (Class D1) and up to 126sqm of office space (Class B1) in a two storey building following demolition of existing high level walkways. Phase 3 to comprise up to 85 residential flats in 6/7 storey blocks and 15 mews houses (including up to 48 affordable units), up to 120sqm of office space (Class B1) and up to 645sqm of flexible commercial floorspace (Classes A1-A5) and associated ancillary space for parking, plant and servicing in basement. Phases 2 and 3 include open space, landscaping, alterations to existing highway layout and new access routes. Phase 3 to follow demolition of the Abbey Community Centre and Hinstock and Emminster blocks including Belsize Priory Health and Medical centre, residential and commercial units and site-wide walkways. Granted May 2016.

1.14 A Land Registry search shows that the site is subject to the following titles:

NGL802045 - leasehold of 11 Emminster (3<sup>rd</sup> floor flat) for 125 years from 2001, from Mayor and Burgesses of the London Borough of Camden granted to individual for £39,500 in July 2001.

NGL262509 - leasehold of 121 Abbey Road, NW6 4SP (3<sup>rd</sup> floor flat) for 80 years from May 1975, from the Mayor Aldermen and Burgesses of the London Borough of Camden granted to Allied Breweries (UK) Ltd at an annual rent of £1,100 (subject to review). The proprietor is listed as Admiral Taverns Ltd and the price paid in May 2012 was £250,000.

NGL651904 - leasehold of 23 Emminster (4<sup>th</sup> floor flat) for 125 years from 1989, from Mayor and Burgesses of the London Borough of Camden granted to individual, no purchase price specified.

NGL714443 - leasehold of the Priory Health Centre for 25 years from 1993, from Mayor and Burgesses of the London Borough of Camden granted to the Camden and Islington Community Health Service NHS Trust at a peppercorn rent, no purchase price specified.

NGL889164 - leasehold of 218 Belsize Road, NW6 4DJ (ground floor shop and parking space) for 20 years from September 1997, from Mayor and Burgesses of the London Borough of Camden granted to Muhammed Ali, no purchase price or rent specified.

NGL18115 - freehold interest including the subject site held by The Mayor and Burgesses of the London Borough of Camden, subject to several charges and leases, no purchase price specified.

NGL879250 - leasehold of 216 Belsize Road, NW6 4DJ and parking space 3 for 20 years from 1995, from Mayor and Burgesses of the London Borough of Camden granted to Ajay Walia. The leasehold interest was purchased in 2007 by ABC Drug Stores Ltd, no rent or purchase price was specified.

- 1.15 We have not undertaken a report on title and have assumed for the purposes of this report that the applicant owns the site.
- 1.16 The advice set out in this report is provided in the context of negotiating planning obligations and therefore in accordance with PS1 of the RICS Valuation - Global Standards 2020, the provisions of VPS1-5 are not of mandatory application. Accordingly, this report should not be relied upon as a Red Book Valuation. The Valuation Date for this Viability Review is the date of this report, as stated on the title page. This Viability Review has been undertaken in accordance with the Terms & Conditions provided to the Council and with any associated Letters of Engagement and should only be viewed by those parties that have been authorised to do so by the Council.
- 1.17 This Viability Review adheres to the RICS Professional Statement on Financial Viability in Planning (published May 2019). In accordance with this Statement, we refer you to our standard terms and conditions which incorporate details of our Quality Standards Control & Statement on Limitation of Liability/ Publication.

## 2.0 SUMMARY TABLE - All Phases

| Input                                 | GE                  | BPS              | Comments  |
|---------------------------------------|---------------------|------------------|---|
| Private Residential GDV               | £108,332,165        | £108,332,165     | Agreed  |
| Affordable GDV                        | £17,410,810         | £17,410,810      | Ambiguous - subject to Council confirmation   |
| Commercial                            | £15,432,684         | £15,432,684      |   |
| Ground Rents                          | £nil                | £nil             | Agreed  |
| Car Parking                           | £nil                | £nil             | Agreed  |
| Build Costs                           | £117,948,781        | £107,791,460     | Disagreed - deductions for contingency, inflation, pre-contract prelims and design fees |
| Contingency (P2 and 3 only)           | c.8%                | 5%               | Disagreed   |
| Professional Fees                     | 10%                 | 10%              | Agreed  |
| Private Marketing, Legal & Agent Fees | 3%                  | 3%               | Agreed  |
| AH Mktg, Legal and agent fees         | 3%                  | £100,000         | Disagreed - Affordable Housing disposal fees quoted are excessive                       |
| S106                                  | £547,225            | £547,225         | Ambiguous - Council to confirm  |
| Mayoral CIL                           | £621,344            | £621,344         | Ambiguous - Council to confirm  |
| Borough CIL                           | £1,723,659          | £1,723,659       | Ambiguous - Council to confirm  |
| Finance                               | 4%                  | 4%               | Agreed  |
| Profit                                | 6%                  | 6%               | Agreed - 6% overall used in appraisal   |
| Pre-construction - P3                 | 45                  | 3                | Disagreed - Affordable  |
| Construction Period - P3              | 24                  | 24               | Agreed  |
| Private resi sales period - P3        | 30                  | 22               | Disagreed - in line with FVA  |
| Commercial Letting - P3               | 6                   | 6                | Agreed  |
| Commercial Sales - P3                 | 1                   | -                | Disagreed - in line with standard viability practice                                    |
| Appraisal Approach                    | Residual Land Value | Fixed Land Value | Disagreed -to calculate correct finance with negative RLV                               |
| Benchmark Land Value                  | £1                  | £1               | Agreed  |
| Viability Position                    | -£23.98m            | -£10.54m         | Disagreed - we find a smaller viability deficit   |

### 3.0 CONCLUSIONS AND RECOMMENDATIONS

- 3.1 We have reviewed the FVA prepared by GE on behalf of the applicant which concludes that the proposed scheme generates a negative residual value of -£23.98m which is approximately £23.98m below their benchmark land value of £1. On this basis the scheme cannot provide any additional affordable housing contribution.

#### Benchmark Land Value

- 3.2 GE have approached the Benchmark Land Value on a combined Alternative Use Value (AUV) Existing Use Value (EUV) basis, which does not appear to be in line with PPG. In conclusion, they have valued the site for Phase 3 based on the council's book value of 'at least £6.29m'. They do not appear to argue for a positive EUV or AUV value for Phases 1 and 2.
- 3.3 In light of the characteristics and policy requirements of such an Estate Regeneration Scheme, GE acknowledge that a nominal BLV is appropriate in this instance, although they reserve their position, should the site be sold to a private developer.
- 3.4 We have not been provided with sufficient information regarding the existing site to make an accurate assessment of the EUV. Whilst we do not necessarily agree with the reasoning provided by GE, we can agree to their assessment of a £1 BLV in this instance. Should the site be sold, we would require a full suite of information on the existing site to review GE's EUV figure.
- 3.5 Having taken the above into consideration, we agree that the Benchmark Land Value should be £1.

#### Development Value

- 3.6 The scheme to be assessed for viability purposes comprises 3 phases, one completed, one under construction and the remaining (Phase 3) is the subject of this application. The scheme totals 280 residential units and 4 commercial units.
- 3.7 We consider GE's assessment of GDV to be broadly reasonable, which equates to an average £881 psf for the private residential units, £30 psf pa for the commercial space, capitalised at 6%, £35 psf pa for the community space, also capitalised at 6% pa. This is subject to confirmation of the lettings/sales for Phase 1.
- 3.8 We have assumed the Affordable Housing GDV to be reasonable subject to Council confirmation of the Phase 1 deal agreed and any negotiations on Phase 3.
- 3.9 The Leasehold Reform (Ground Rent) Act 2022 was granted Royal Assent on the 8<sup>th</sup> February 2022, with the relevant Act being brought into full force within 6 months, (8<sup>th</sup> August at the latest). Once the act is in force, any ground rent demanded as part of a new residential long lease cannot be for any more than a peppercorn (no financial value). The act is now in full force, we acknowledge that in light of an effective ban on future ground rents that they should no longer be included as a future revenue stream for planning & viability purposes. We therefore consider the omission of capitalised ground rents as being a reasonable assumption.
- 3.10 The car parking in Phase 3 is said to be for the existing Affordable Housing tenants and has been assumed to have no commercial value.



### Development Costs

- 3.11 Our Cost Consultants, Geoffrey Barnett Associates (GBA), have reviewed the Benchmark Appraisal Revision 17 for the proposed scheme prepared by Wates, dated 19<sup>th</sup> April 2022 against the Updated Position appraisal in Appendix 11 of the FVA, and conclude that:

*'The difference between costs in the appraisal summary and an assessment of costs using BCIS is £7,326,823 or 15.82% - see Appendix B.*

*We conclude that the construction costs put forward in the appraisal summary are £7,326,823 or 15.82% higher than our own assessment of costs. However, the applicant's costs include pre-contract preliminaries, project/design team fees and an inflation uplift, which we would not normally expect to be included. If these additional costs are excluded the applicant's construction costs are within estimating margin of our own assessment of costs. We consider that significant cost difference of 15.82% between the applicant's costs and our own assessment of costs results largely from the inclusion of these additional factors which would not normally be included.'*

- 3.12 The additional costs identified by our Cost Consultant indicate that the basis of procurement suggests that the Council experiences higher upfront costs compared to private sector developers.
- 3.13 In order to comply with a generic approach we have therefore amended Phase 3 build costs. We have assumed that Phase 2 build costs have been prepared on a similar basis and we have therefore made a similar adjustment to Phase 2 build costs.
- 3.14 We have reviewed the other costs outlined within the FVA and consider Affordable Housing disposal costs to be excessive. We have also adjusted the development and disposals programme in line with our comments below.

### Recommendations

- 3.15 We have been provided with a live version of the Argus appraisal included GE's report to which we have applied our amendments. These amendments are outlined in Section 2.
- 3.16 The appraisal summary and sensitivity analysis can be found in Appendix 2 and show the scheme produces a deficit of £10,539,179. We therefore conclude that the scheme would not be able to viably contribute towards or provide additional affordable housing.
- 3.17 We have used a profit target of 6% on GDV and a BLV of £1, in line with the GE FVA.
- 3.18 We have undertaken sensitivity analysis to test the impact of changes to cost and revenue inputs which is included in Appendix 2. This demonstrates that even with a 10% increase in private and shared ownership residential revenue, combined with a 10% reduction in gross costs, a deficit of £1.3m would remain.
- 3.19 We recommend that if a policy compliant offer not made, the scheme should be subject to a late stage review of viability in order that the viability can be assessed over the lifetime of the development.

## **4.0 PRINCIPLES OF VIABILITY ASSESMENT**

- 
- 4.1 Development appraisals work to derive a residual value. This approach can be represented by the formula below:
- $$\text{Gross Development Value} - \text{Development Costs (including Developer's Profit)} = \text{Residual Value}$$
- 4.2 The residual value is then compared to a benchmark land value. Existing Use Value (EUV) and Alternative Use Value (AUV) are standard recognised approaches for establishing a land value as they help highlight the apparent differences between the values of the site without the benefit of the consent sought.
- 4.3 The rationale for comparing the scheme residual value with an appropriate benchmark is to identify whether it can generate sufficient money to pay a realistic price for the land whilst providing a normal level of profit for the developer. In the event that the scheme shows a deficit when compared to the benchmark figure the scheme is said to be in deficit and as such would be unlikely to proceed.
- 4.4 Development appraisals can also be constructed to include a fixed land value and fixed profit targets. If an appropriate benchmark is included as a fixed land value within a development appraisal this allows for interest to be more accurately calculated on the Benchmark Land Value, rather than on the output residual value. By including fixed profit targets as a cost within the appraisal, programmed to the end of development so as not to attract interest payments, the output represents a 'super' profit. This is the profit above target levels generated by the scheme which represents the surplus available towards planning obligations
- 4.5 This Viability Review report adheres to the RICS Professional Statement on Financial Viability in Planning: Conduct and Reporting (published May 2019). In accordance with this Statement, Section 8 below incorporates details of our Quality Standards Control & Statement on Limitation of Liability/ Publication. This report has been prepared according to the Professional Statement's requirement for objectivity and impartiality, without interference and with reference to all appropriate available sources of information. Where information has not been obtainable, we have stated this expressly in the body of the report.



## 5.0 BENCHMARK LAND VALUE

### Viability Benchmarking

#### 5.1 Planning Policy Guidance, published May 2019, states:

*Benchmark land value should:*

- *be based on existing use value*
- *allow for a premium to landowners (including equity resulting from those building their own homes)*
- *reflect the implications of abnormal costs; site-specific infrastructure costs; and professional site fees and*

*Viability assessments should be undertaken using benchmark land values derived in accordance with this guidance. Existing use value should be informed by market evidence of current uses, costs and values. Market evidence can also be used as a cross-check of benchmark land value but should not be used in place of benchmark land value. These may be a divergence between benchmark land values and market evidence; and plan makers should be aware that this could be due to different assumptions and methodologies used by individual developers, site promoters and landowners.*

*The evidence should be based on developments which are fully compliant with emerging or up to date plan policies, including affordable housing requirements at the relevant levels set out in the plan. Where this evidence is not available plan makers and applicants should identify and evidence any adjustments to reflect the cost of policy compliance. This is so that historic benchmark land values of non-policy compliant developments are not used to inflate values over time.*

*[...] Where viability assessment is used to inform decision making under no circumstances will the price paid for land be a relevant justification for failing to accord with relevant policies in the plan. Local authorities can request data on the price paid for land (or the price expected to be paid through an option agreement).*

#### 5.2 The NPPF recognises the need to provide both land owners and developers with a competitive return. In relation to land owners this is to encourage land owners to release land for development. This is set out in PPG as follows:

*To define land value for any viability assessment, a benchmark land value should be established on the basis of existing use value (EUV) of the land, plus a premium for the landowner. The premium for the landowner should reflect the minimum return at which it is considered a reasonable landowner would be willing to sell their land. The Premium should provide a reasonable incentive, in comparison with other options available, for the landowner to sell land for development while allowing a sufficient contribution to fully comply with policy requirements. Landowners and site purchasers should consider policy requirements when agreeing land transactions. This approach is often called 'existing use value plus' (EUV+).*

#### 5.3 The RICS Guidance Note 'Assessing viability in planning under the National Planning Policy Framework 2019 for England', published March 2021, supports the NPPG's definition of Benchmark Land Value.

#### 5.4 NPPG further defines EUV as follows:

*Existing use value (EUV) is the first component of calculating benchmark land value. EUV is the value of the land in its existing use. Existing use value is not the price paid and should disregard hope value. Existing use values will vary depending on the type of site and development types. EUV can be established in collaboration between plan makers, developers and landowners by assessing the value of the specific site or type of site using published sources of information such as agricultural or industrial land values, or if appropriate capitalised rental levels at an appropriate yield (excluding any hope value for development).*

- 5.5 The Mayor of London's Affordable Housing and Viability SPG published August 2017 states a clear preference for using EUV as a basis for benchmarking development as this clearly defines the uplift in value generated by the consent sought. This is evidenced through the following extract:

*The Mayor considers that the 'Existing Use Value plus' (EUV) approach is usually the most appropriate approach for planning purposes. It can be used to address the need to ensure that development is sustainable in terms of the NPPF and Development Plan requirements, and in most circumstances the Mayor will expect this approach to be used.*

- 5.6 Guidance indicates that the sale of any premium should reflect the circumstances of the land owner. We are of the view that where sites represent an ongoing liability to a land owner and the only means of either ending this liability or maximising site value is through securing a planning consent this should be a relevant factor when considering whether a premium is applicable. This view is corroborated in the Mayor of London's Affordable Housing and Viability SPG which states:

*Premiums above EUV should be justified, reflecting the circumstances of the site. For a site which does not meet the requirements of the landowner or creates ongoing liabilities/ costs, a lower premium or no premium would be expected compared with a site occupied by profit-making businesses that require relocation. The premium could be 10 per cent to 30 per cent, but this must reflect site specific circumstances and will vary.*

- 5.7 While EUV is the primary approach to defining BLV, in some circumstances an Alternative Use Value approach can be adopted. This is the value of the land for a use other than its existing use. NPPG outlines:

*If applying alternative uses when establishing benchmark land value these should be limited to those uses which would fully comply with up to date development plan policies, including any policy requirements for contributions towards affordable housing at the relevant levels set out in the plan.*

*[...] Plan makers can set out in which circumstances alternative uses can be used. This might include if there is evidence that the alternative use would fully comply with up to date development plan policies, if it can be demonstrated that the alternative use could be implemented on the site in question, if it can be demonstrated there is market demand for that use, and if there is an explanation as to why the alternative use has not been pursued.*

- 5.8 The RICS Guidance Note 'Assessing viability in planning under the National Planning Policy Framework 2019 for England', published March 2021, supports the definition of AUV from NPPG and reiterates that any AUV must reflect relevant policy requirements.

- 
- 5.9 When adopting an AUV approach, the premium to the landowner is implicit and therefore an additional landowner premium should not be added as this would be double counting.
- 5.10 NPPG and RICS guidance are clear that if refurbishment or redevelopment is necessary to realise an existing use value then this falls under the AUV provision of NPPG and no landowner premium should be added.

#### The Proposed Benchmark

- 5.11 GE have approached the Benchmark Land Value on a combined Alternative Use Value (AUV) Existing Use Value (EUV) basis, which does not appear to be in line with PPG. Having stated that the value should be assessed on an AUV basis, they conclude that the EUV of the site for Phase 3 should be based on the council's book value of 'at least £6.29m'. They do not appear to argue for a positive EUV or AUV value for Phases 1 and 2.
- 5.12 GE confirm that no Landowner Premium should be necessary to secure an Estate Regeneration Scheme for redevelopment.
- 5.13 Further, due to the characteristics and policy requirements of such an Estate Regeneration Scheme, GE acknowledge that a nominal BLV is appropriate in this instance, although they reserve their position, should the site be sold to a private developer.

#### BPS Assessment of Benchmark Land Value

- 5.14 We have not been provided with sufficient information regarding the existing site to make an accurate assessment of the EUV. Whilst we do not necessarily agree with the reasoning provided by GE, we can agree to their assessment of a £1 BLV in this instance.
- 5.15 Should the site be sold, we would require a full suite of information on the existing site to review GE's EUV figure.
- 5.16 The FVA provides minimal information regarding the existing site and we have not been provided with details of the existing accommodation (including photographs) and any occupancy terms.
- 5.17 Having taken the above into consideration, we agree that the Benchmark Land Value should be £1.

**6.0 DEVELOPMENT VALUES**

- 6.1 The residential element of the proposed scheme, as sought by the planning application, is for Phase 3 which comprises 139 residential units (397 habitable rooms) and 3,238 sf of commercial/retail space. However, the viability assessment is to be undertaken on the whole scheme (Phases 1-3) and the breakdown of the residential space is provided below:

| Type         | Phase 1    | Phase 2  | Phase 3    | Total Units |
|--------------|------------|----------|------------|-------------|
| 1 bed        | 45         | -        | 54         | 99          |
| 2 bed        | 65         | -        | 68         | 133         |
| 3 bed        | 29         | -        | 17         | 46          |
| 4 bed        | 2          | -        | -          | 2           |
| <b>Total</b> | <b>141</b> | <b>-</b> | <b>139</b> | <b>280</b>  |

Private Residential Values

- 6.2 For Phases 1-3, a total of 168 units are proposed to be for private sale and the values have been assumed as follows:

| Unit type     | Phase 1   | Phase 2  | Phase 3   | P3 Ave sf  | GE Value psf | Total Units |
|---------------|-----------|----------|-----------|------------|--------------|-------------|
| One bedroom   | 19        | -        | 45        | 562        | £883         | 64          |
| Two bedroom   | 51        | -        | 48        | 783        | £881         | 99          |
| Three bedroom | 5         | -        | -         | -          | -            | 5           |
| <b>Total</b>  | <b>75</b> | <b>-</b> | <b>93</b> | <b>676</b> | <b>£881</b>  | <b>168</b>  |

- 6.3 GE have based their GDV on a Hamptons pricing schedule for Phase 3 dated 21<sup>st</sup> January 2022 which provides net achievable prices although we note that these are on the premise of 'reasonable levels of ground rent and service charges'. GE have then transposed these values (£881 psf per unit) onto the private sale flats in Phase 1 in order to reflect current values. The GE values result in an average unit price of £644,834 for the private residential units and a total private residential GDV of £108,332,165 over the 3 phases.
- 6.4 No comparable evidence has been presented to support this GDV. We have therefore undertaken our own review of comparable evidence and list below the sales from Phase 1 of the scheme which are available on the Land Registry website and are the closest comparables to the subject Phase 3:

| Address                              | GIA sf     | Date   | Sale Price      | Price psf   |
|--------------------------------------|------------|--------|-----------------|-------------|
| <b>131-143 Belsize Road, NW6 4BR</b> |            |        |                 |             |
| <b>Flats:</b>                        |            |        |                 |             |
| 23                                   | 915        | Sep 21 | £703,500        | £769        |
| 32                                   | 840        | Jun 21 | £690,000        | £821        |
| 34                                   | 861        | Jun 21 | £710,625        | £825        |
| 36                                   | 840        | Mar 21 | £711,750        | £847        |
| 12                                   | 818        | Jan 21 | £641,750        | £785        |
| 40                                   | 840        | Jan 21 | £708,250        | £843        |
| 35                                   | 818        | Nov 20 | £672,000        | £822        |
| 47                                   | 1,464      | Aug 20 | £1,173,750      | £802        |
| 42                                   | 850        | Jul 20 | £740,000        | £871        |
| 30                                   | 861        | Jun 20 | £730,000        | £848        |
| 21                                   | 538        | May 20 | £476,000        | £885        |
| 41                                   | 538        | May 20 | £520,000        | £967        |
| 8                                    | 818        | Mar 20 | £657,500        | £804        |
| 44                                   | 840        | Mar 20 | £710,000        | £845        |
| 45                                   | 1,356      | Feb 20 | £1,136,250      | £838        |
| 39                                   | 818        | Jan 20 | £722,500        | £883        |
| 1                                    | 538        | Nov 19 | £472,900        | £879        |
| 46                                   | 1,528      | Oct 19 | £1,250,000      | £818        |
| 25                                   | 538        | Sep 19 | £485,000        | £901        |
| 31                                   | 818        | Sep 19 | £670,000        | £819        |
| 43                                   | 818        | Aug 19 | £720,000        | £880        |
| 29                                   | 538        | Aug 19 | £500,000        | £929        |
| 37                                   | 538        | Aug 19 | £515,000        | £957        |
| 27                                   | 818        | Aug 19 | £668,000        | £817        |
| 9                                    | 538        | Aug 19 | £475,000        | £883        |
| 13                                   | 538        | Jul 19 | £470,000        | £874        |
| 6                                    | 861        | Jul 19 | £667,000        | £775        |
| 5                                    | 538        | Jul 19 | £459,200        | £854        |
| 17                                   | 538        | Jun 19 | £475,000        | £883        |
| 33                                   | 538        | May 19 | £499,999        | £929        |
| <b>Average</b>                       | <b>790</b> |        | <b>£667,699</b> | <b>£845</b> |

- 6.5 We note that some of the above sales are now somewhat historic. However, if we exclude the 2019 sales, the average sales price psf reduces to £835 (which is likely to be a reflection of the larger average lot sizes sold during 2020 and 2021) and does not evidence price growth during 2020 and 2021 at Phase 1 of the development.
- 6.6 On the basis of the achieved prices reported at Phase 1, we consider that GE's assessment of private residential GDV at Phase 3 at an average of £881 psf appears reasonable and accounts for some growth during 2022.

#### Ground Rents

- 6.7 The Leasehold Reform (Ground Rent) Act 2022 was granted Royal Assent on the 8<sup>th</sup> February 2022, with the relevant Act being brought into full force within 6 months, (8<sup>th</sup> August at the latest). The reforms put an end to ground rents for new, qualifying long residential leasehold properties in England and Wales. Once the act is in force,

any ground rent demanded as part of a new residential long lease cannot be for any more than a peppercorn (no financial value).

- 6.8 We acknowledge that in light of an effective ban on future ground rents that they should no longer be included as a future revenue stream for planning & viability purposes. We understand the act covers single 'dwellings' and will therefore capture student and retirement accommodation providing they are occupied or intended to be occupied as single dwellings.
- 6.9 We therefore consider the omission of capitalised ground rents as being a reasonable assumption. Whilst we acknowledge that the Hamptons' pricing schedule reflects a 'reasonable level of ground rent,' evidence of increased sale prices as a result of reduced ground rent liabilities has not yet been evidenced by comparables and we have not, therefore, been able to factor this explicitly into our GDV. We recommend a late stage review be undertaken to capture any potential uplift in revenue.

#### Parking

- 6.10 Hamptons' pricing schedule excludes car parking revenues. Information subsequent to the FVA from GE confirms that the car parking planned for Phase 2 of the scheme is to be made available to the previous Affordable Housing residents only and therefore has no commercial value.
- 6.11 Consequently, no income from the car parking is included in the GE appraisal, which appears reasonable.

#### Affordable Residential Values

- 6.12 The proposed scheme overall includes a total of 112 affordable units, 46 of which will be in Phase 3 (36 Social Rented and 10 Intermediate as Camden Living Rent). This represents a 40% Affordable Housing provision over the 3 phases overall with a tenure split of 91:9.

| Tenure    | Unit type       | Phase 1   | Phase 2  | Phase 3   | Total Units | Tenure Split |
|-----------|-----------------|-----------|----------|-----------|-------------|--------------|
| SR        | One bedroom     | NK        | -        | 7         | NK          |              |
| SR        | Two bedroom     | NK        | -        | 12        | NK          |              |
| SR        | Three bedroom   | NK        | -        | 17        | NK          |              |
| <b>SR</b> | <b>Total SR</b> | <b>66</b> | <b>-</b> | <b>36</b> | <b>102</b>  | <b>91.1%</b> |
| CL        | One bedroom     | -         | -        | 2         | 2           |              |
| CL        | Two bedroom     | -         | -        | 8         | 8           |              |
| CL        | Three bedroom   | -         | -        | -         | -           |              |
| <b>CL</b> | <b>Total CL</b> | <b>-</b>  | <b>-</b> | <b>10</b> | <b>10</b>   | <b>8.9%</b>  |
|           | <b>Total AH</b> | <b>66</b> | <b>-</b> | <b>46</b> | <b>112</b>  | <b>100%</b>  |

- 6.13 The Council's planning policy H4 requires an affordable housing contribution of 50% with a tenure split of 60:40 (Social Affordable Rented: Intermediate housing).



However, the FVA states that the subject application would be assessed under policy H8, which reads as follows:

*‘We will support development of a variety of housing aimed at meeting the specific needs of older people and vulnerable people provided that the development:*

- a. is needed to meet a demonstrable need within the borough and will be targeted at borough residents;*
- b. will be suitable for the intended occupiers in terms of the standard of facilities, the level of independence, and the provision of support and/or care;*
- c. will be accessible to public transport, shops, services, community facilities and social networks appropriate to the needs of the intended occupiers;*
- d. contributes to creating a mixed, inclusive and sustainable community; and*
- e. does not cause harm to nearby residential amenity.’*

- 6.14 Although we note the provisos: *‘We will resist development that involves the net loss of housing floorspace for older people, homeless people and vulnerable people,’* and, *‘In the case of any market-led development aimed at older people, homeless people or vulnerable people, particularly where the development contains self-contained homes, the Council will expect the development to make a contribution to the supply of affordable housing in accordance with Policy H4.’* The proposed scheme (both the whole scheme and phase 3 in isolation) appear to be private residential led and it appears the requirements of H4 may apply.
- 6.15 For the purposes of our review, we have assumed that Policy H8 applies to the subject application as stated in the FVA, although this is subject to Council confirmation.
- 6.16 The Affordable Housing GDV for Phase 1 presented by GE has been calculated by them although we are informed that these figures have been confirmed by the Council. We assume this to be the case and have adopted these figures in view of the Council’s role as Registered Provider on this site.
- 6.17 The Social Rent units proposed for Phase 3 are valued at the same rate as those in Phase 1 (£178 psf, 20% of the private residential values). This appears reasonable in the light of Council confirmation of these figures and their role as Registered Provider.
- 6.18 The Intermediate (Camden Living Rent) units have been valued at £303 psf (34% of private residential values). Again, in view of the Council’s role and assuming their confirmation of this figure, we consider it reasonable.

### Commercial Valuation

- 6.19 Phases 1 - 3 overall include a total of 29,990 sf commercial and community space in the subject proposals. The FVA details the space as comprising the following:

| Phase        | Use                     | Assumed Use Class | GIA sq m     | GIA sq ft     | GE ERV psf | GE Yield | GE combined void/rent free | GE GDV total       |
|--------------|-------------------------|-------------------|--------------|---------------|------------|----------|----------------------------|--------------------|
| 1            | Retail/B1               | E                 | 326          | 3,511         | £30        | 6%       | 1 yr                       | £1,656,132         |
| 1            | Supermarket             | E                 | 407          | 4,383         | £30        | 6%       | 1.5 yrs                    | £2,008,088         |
| 2            | Community/Health Centre | E                 | 1,752        | 18,858        | £35        | 6%       | 1 yr & 1 mth               | £10,327,560        |
| 3            | Commercial/Retail       | E                 | 301          | 3,238         | £30        | 6%       | 2 yrs                      | £1,440,904         |
| <b>Total</b> |                         |                   | <b>2,786</b> | <b>29,990</b> |            |          |                            | <b>£15,432,684</b> |

- 6.20 GE have provided evidence of several retail and medical letting comparables in this area of London to support their view of GDV.
- 6.21 Of the retail comparables, most are within the last 2 years and show average rents achieved between £20.73 psf and £61.96 psf overall. GE state that their valuation reflects the new build nature of the units and the 'small-scale local nature of the retail' likely to occupy the units. No analysis of the evidence or specific justification of the rents, voids and yields adopted has been provided.
- 6.22 It appears that of the Phase 1 units, the supermarket has been let to Sainsbury's and the remaining unit is occupied by the residential sales suite. Despite our request, no details of lettings on these units have been made available to us.
- 6.23 We have sought to identify any additional transactions in the surrounding area to test whether the value assigned to this element of the scheme is reasonable. Our research can be summarised as follows:

| Address                               | Description                                     | Date   | Transaction details   | Rent £psf |
|---------------------------------------|---|--------|---|-----------|
| 70-72 Kilburn High Road NW6 4HS       | A1 unit 3,056 sf NIA                            | Sep 21 | Lease renewal at £99,000 pa, 5 years, FRI, review at lease end, grade B space | £32.40    |
| 446-490 Edgware Road W2 1EJ           | A1 Food store /Supermarket 7,889 sf NIA         | Jul 20 | Let at £325,000 pa FRI to Aldi  | £40.64    |
| 6 Opal Mews, NW6 7JU                  | B1a Office 2,700 sf NIA, grade A/New            | May 22 | Let at £67,200 pa for 5 years, FRI  | £24.89    |
| 9 Lonsdale Road, NW6 6RA              | B1a Office 1,111 sf NIA, ground and first floor | Jan 21 | Let at £45,000 pa for 5 years   | £40.50    |
| Grd Flr, 19-21 Lonsdale Road, NW6 6RA | B1a Office 636 sf gradeA/new space              | Feb 21 | Let at £33,690 pa for 3 years   | £52.97    |
| 22 Lonsdale Road NW6 6RD              | B1a Office 1,830 sf NIA                         | Mar 21 | Let at £77,775 pa for 10 years  | £42.50    |

|                                     |                                      |        |   |        |
|-------------------------------------|--------------------------------------|--------|---|--------|
| <b>83 Salusbury Road, NW6 6NH</b>   | E use, 1,729 sf ground floor         | Feb 22 | Assigned at £52,500 pa for 8 years 4 months, previously Costa | £30.36 |
| <b>1 Gifford Road NW10 9ED</b>      | D1 medical use, 3,000 sf             | Jul 21 | Let at £60,000 pa   | £20.00 |
| <b>7 Russell Gardens W14 8EZ</b>    | D1 medical use 1,634 sf GIA          | Jan 22 | Let at £30,000 pa for 5 years FRI                             | £18.36 |
| <b>182 Hammersmith Road, W6 7DJ</b> | D1 Clinic/Health Centre 6,500 sf GIA | Jul 21 | Let at £273,000 pa, FRI                                       | £42.00 |

6.24 It can be seen from the above transactions that generally rents for the retail and office uses as proposed vary considerably depending upon location, layout and specification. Bearing in mind the secondary location of the retail within this scheme, we consider that a rent in the region of £30 is likely to be reasonable, although we reserve the right to amend our view should we receive further information on the letting(s) already achieved in Phase 1.

6.25 Rents for community use also vary considerably, depending particularly upon intended use, layout and specification. We assume that the proposed space in Phase 2 will be specified as a community medical centre and creche. On the basis of the comparable rents seen, we consider a new build rent of £35 psf to be reasonable.

6.26 Based upon the above, we are in agreement with GE that a total rent of £15,432,684 pa could be generated from the commercial/community space.

6.27 GE have not provided any sales evidence for the retail and office space. We have identified the following transactions:

| Address                                | Description           | Date   | Transaction details | Yield     |
|--|-----------------------|--------|---------------------|-----------|
| <b>106b Kilburn High Road, NW6 4HY</b> | A1 retail 1,253 sf    | Sep 20 | Sale for £1.535m    | 6.00% NIY |
| <b>114-115 Salusbury Road, NW6 6RG</b> | B1a office, 29,619 sf | Dec 20 | Sale for £16.5m     | 4.95% NIY |
| <b>107 Boundary Road, NW8 0RG</b>      | A1 retail 1,400 sf    | Jul 21 | Sale for £260,000   | 5.86% NIY |

6.28 Considering the evidence above and the location of the subject retail/office space, we consider the yield of 6.00% adopted by GE to be reasonable.

6.29 Comparable sales presented of medical and creche facilities vary between 4.80% and 5.25% for investment sales and £468 and £1,633 for owner occupier sales, the GE GDV for this space equates to £548 psf (6.00%).

6.30 We have established the following additional evidence:

| Address                                | Description                          | Date   | Transaction details | Price psf | Yield |
|--|--------------------------------------|--------|---------------------|-----------|-------|
| <b>16 Portland Building, W11 4LA</b>   | D1 Professional Medical 3,014 sf GIA | Oct 20 | Sale at £3m         | £995      | -     |
| <b>46 Harley St, W1G 9PT</b>           | D1 Clinic/Health Centre 3,756 sf     | Dec 20 | Sale at £3.475m     | £925      | 4.53% |
| <b>9 Florence Road, Ealing, W5 3TU</b> | D1 Creche/ Day Nursery 2,613 sf GIA  | Mar 21 | Sale at £1.85m      | £708      | -     |
| <b>111 Chiswick High Road, W4 2ED</b>  | D1 Professional medical 283 sf       | Apr 21 | Sale at £720,000    | £2,544    | -     |

- 6.31 We note that the adopted yield of 6.00%, reflecting a value of £548 psf is towards the lower end of the comparable evidence seen. However, without further information on the proposed specification, layout and use of the proposed space, we are unable to evidence a higher GDV at this time. We have also not been informed of any pre-lets on the accommodation in Phase 2, despite our request.
- 6.32 We therefore provisionally agree to the GDV proposed for the community space but reserve our right to amend this figure should further information become available. We also recommend that the viability be subject to a late stage review.

## 7.0 DEVELOPMENT COSTS

### Construction Costs

- 7.1 Our Cost Consultants, Geoffrey Barnett Associates (GBA), have reviewed the Benchmark Appraisal Revision 17 for the proposed scheme prepared by Wates, dated 19<sup>th</sup> April 2022 (which we note refers to Phase 3 only) against the Updated Position appraisal in Appendix 11 of the FVA, and conclude that:

*'The difference between costs in the appraisal summary and an assessment of costs using BCIS is £7,326,823 or 15.82% - see Appendix B.*

*We conclude that the construction costs put forward in the appraisal summary are £7,326,823 or 15.82% higher than our own assessment of costs. However, the applicant's costs include pre-contract preliminaries, project/design team fees and an inflation uplift, which we would not normally expect to be included. If these additional costs are excluded the applicant's construction costs are within estimating margin of our own assessment of costs. We consider that significant cost difference of 15.82% between the applicant's costs and our own assessment of costs results largely from the inclusion of these additional factors which would not normally be included.'*

- 7.2 GBA's full cost report can be found at Appendix 1.
- 7.3 For Phase 3, we have therefore reduced the base build costs by £8,367,090 to reflect contingency, inflation, pre-contract prelims and design fees in line with GBA's advice. We have retained the additional 5% contingency and 10% professional fees in GE's appraisal.
- 7.4 We are informed by GE that the costs adopted for Phases 1 and 2 are based upon the Statement of Final Account dated 8<sup>th</sup> April 2020, prepared by Mott MacDonald and the Council, both of which refer to Phase 1. A full breakdown of these costs has not been made available to us despite our request and they have therefore not been reviewed by GBA. We assume that the Final Account for Phase 1 provided is a genuine account of the costs incurred on Phase 1 and we ask the Council to confirm.
- 7.5 For Phase 2, therefore, we have received no breakdown or documentary evidence of the costs claimed and we assume that a budget cost plan has been prepared on a similar basis to the cost plan seen for Phase 3. We have therefore adjusted the figures for contingency, inflation, pre-contract prelims and design fees on a pro-rata basis accordingly.

### Additional Costs

- 7.6 GE have applied the following additional cost assumptions:

- Professional fees of 10%
- Marketing fees of 1.50%
- Sales agent fees of 1.00%
- Sales legal fees of 0.50%
- Letting Agent fees 10.00%
- Letting Legal fees 5.00%

- 7.7 Generally, we accept that these percentages are realistic and in line with market norms, although we note that marketing, sales agent and sales letting fees have been applied to all revenue. We have applied these fees to private residential only. We have applied a fixed disposal cost of £50,000 per phase for the Affordable Housing.
- 7.8 Total CIL charges have been assumed at £2,345,003 and are applicable to Phase 3 only, s106 costs have been assumed at £547,225. We have not verified these amounts and request confirmation from the Council.
- 7.9 Finance has been included at 4% assuming that the scheme is 100% debt financed. We consider this finance allowance to be reasonable for a typical borrower for an estate regeneration scheme.

#### Profit

- 7.10 The developer profit target adopted by GE is 6% on GDV. We consider this profit target to be fair, particularly on a mixed use/tenure estate regeneration. (We note that a blended profit is discussed in the FVA but is not adopted in the appraisal.)

#### Development Timeframes

- 7.11 The construction period for Phase 3 has been approved as reasonable by GBA. Phases 1 and 2 are said by GE to be based on the historic programme (and planned completion date for Phase 2) which total 45 months and we have assumed this to be reasonable. We confirm the timings of the phased scheme as follows:

| Months                    | GE<br>Phase 1 | GE<br>Phase 2 | GE<br>Phase 3 | BPS<br>Phase 1 | BPS<br>Phase 2 | BPS<br>Phase 3 |
|---------------------------|---------------|---------------|---------------|----------------|----------------|----------------|
| <b>Pre-construction</b>   | 3             | 26            | 45            | 3              | 3              | 3              |
| <b>Construction</b>       | 24            | 18            | 24            | 24             | 18             | 24             |
| <b>Pre-sales %</b>        | 30%           | -             | 30%           | 30%            | -              | 30%            |
| <b>Sales pcm</b>          | 5             | -             | 3             | 5              | -              | 3              |
| <b>Sales period</b>       | 12            | -             | 30            | 12             | -              | 22             |
| <b>Commercial Letting</b> | 6             | 3             | 6             | 6              | 3              | 6              |
| <b>Commercial Sales</b>   | 1             | 1             | 1             | 0              | 1              | -              |

- 7.12 Pre-sales and sale periods have been assumed by GE on the basis of Hamptons' advice at 30% and 3 per month respectively. This equates to a sales period of 22 months which we have allowed in our appraisal (we note that the FVA states a sales period of 24 months, but the appraisal allows 30 months.) The sales rate of 3 per month appears realistic in the light of the available sales data for Phase 1. Pre-sales appear low for a London scheme although we assume this is based upon pre-sales rates for Phase 1 and we request the Council confirm.
- 7.13 Further, we note the sales rate assumed by GE for Phase 1 equates to around 5 sales pcm which appears high in relation to the (incomplete) sales data seen. We ask that the Council confirm this figure.
- 7.14 We note that GE have allowed for Affordable Housing revenue at 6 months following completion of construction, which would not reflect normal practice. We have assumed for the purposes of this report, that this reflects accurately the agreements now in place with the Registered Provider although we request that this be confirmed by the Council. We will revise our position should this be confirmed not to be the case.



- 7.15 We have allowed for the commercial letting period to run concurrently with residential sales periods.

---

**8.0 AUTHOR SIGN OFF**

This report is provided for the stated purpose and for the sole use of the named clients. This report may not, without written consent, be used or relied upon by any third party.

The author(s) of this report confirm that there are no conflicts of interest and measures have been put in place to prevent the risk of the potential for a conflict of interest. In accordance with the RICS Professional Statement *Financial Viability in Planning: Conduct and Reporting* September 2019, this report has been prepared objectively, impartially, and with reference to all appropriate sources of information.

The following persons have been involved in the production of this report:



**Clare Jones MRICS**  
RICS Registered Valuer  
RICS Membership no. 0095561  
For and on behalf of  
BPS Chartered Surveyors



**Andrew Jones MRICS**  
RICS Registered Valuer  
RICS Membership no. 0085834  
For and on behalf of  
BPS Chartered Surveyors

August 2022

## **Appendix 1: Build Cost Report**



Geoffrey Barnett  
Associates

**REVIEW OF BENCHMARK APPRAISAL  
PREPARED BY  
WATES**

**FOR**

**ABBNEY ROAD PHASE 3, BELSIZE ROAD, LONDON NW6 4DX**

**5 AUGUST 2022**

**Geoffrey Barnett Associates**

*Chartered Quantity Surveyors*

*Project Coordinators*

The Old Mill

Mill Lane

GODALMING

Surrey

GU7 1EY

Tel: 01483 429229



**CONTENTS:**

- 1: INTRODUCTION**
- 2: BASIS OF REVIEW**
- 3: REVIEW OF BENCHMARK APPRAISAL**
- 4: GBA ASSESSMENT OF CONSTRUCTION COSTS**
- 5: CONCLUSION**
- 6: REVIEW OF PROFESSIONAL FEES AND CONSTRUCTION DURATION**

**APPENDICES:**

- A: CALCULATION OF COSTS USING BCIS M2 RATES**
- B: COMPARISON OF APPRAISAL SUMMARY AGAINST COSTS USING BCIS M2 RATES**
- C: BCIS DATA**

## **1.0 INTRODUCTION:**

- 1.1 Geoffrey Barnett Associates are Chartered Quantity Surveyors, established in 1974, and have over 45 years' experience of providing quantity surveying, project co-ordination and construction cost management services to clients throughout the UK. The firm's experience covers a wide range of project types and sizes including new build residential and commercial developments, infrastructure projects and refurbishment projects.
- 1.2 This review relates to the Benchmark Appraisal Revision 17 dated 19 April 2022 produced by Wates.

## **2.0 BASIS OF REVIEW**

- 2.1 The contract build cost estimate provided by the applicant is reviewed by comparison against the Building Cost Information Service (BCIS) construction cost data published by the RICS. The reason for using the BCIS service is that it provides a UK wide and fully independent database compiled and continually updated by input from varied project types and locations.
- 2.2 BCIS publish costs as average overall prices on a cost per sq metre basis and an elemental cost per sq metre basis for new build work. For new build construction, the BCIS cost levels are used as a baseline to assess the level of cost and specification enhancement in the scheme on an element by element basis.
- 2.3 BCIS costs are updated on a quarterly basis. The most recent quarters use forecast figures, the older quarters are firm costs based on historic project data. The BCIS also provides a location adjustment facility against a UK mean index of 100, which allows adjustment of costs for any location in the UK. The BCIS also publish a Tender Price Index based on historic tender prices. This allows adjustment of costs on a time basis where necessary.
- 2.4 BCIS average costs are available for various categories of buildings such as apartments, offices, shops, hotels, schools, etc.
- 2.5 BCIS average prices per sq metre include overheads and profit (OHP) and preliminaries costs. BCIS elemental costs include OHP but not preliminaries. Average prices per sq metre or elemental costs do not include for external services and external works costs. Demolitions and site preparation are excluded from all BCIS costs.
- 2.6 Ideally, a contract build cost estimate should be prepared by the applicant in the BCIS elements. If this is not available exactly in the BCIS format then, where relevant, we undertake analysis and adjustment to allow direct comparison to BCIS elemental benchmark costs. This requires access to the drawings, specifications, and any reports which have a bearing on cost.
- 2.7 The review of an applicant's contract build cost estimate against BCIS would typically require:



- Adjustment by location factor
- Adjustment for abnormal and enhanced costs
- Review of the applicants estimate on element by element basis
- More detailed analysis where there are significant deviance from BCIS costs
- Adjustment of overheads & profit inclusions to provide direct comparison to BCIS
- Addition of contractors' preliminaries costs
- Addition of ancillary costs, such as fees, statutory charges, etc., as appropriate

These adjustments enable us to make a direct comparison with BCIS benchmark costs.

- 2.8 The floor areas stated in the applicants cost estimate are accepted and we do not attempt to check the floor areas.

### **3.0 REVIEW OF BENCHMARK APPRAISAL**

- 3.1 The proposed development is stated to comprise: "Demolition and redevelopment of Emminster and Hinstock (Belsize Road, London, NW6 4DX) blocks including Belsize Priory Health Centre, Abbey Community Centre, public house and commercial units to provide new residential accommodation (Use Class C3) and ground floor commercial space (Use Class E/Sui Generis) to be used as flexible commercial units, across three buildings ranging from 4 to 11 storeys, along with car and bicycle parking, landscaping and all necessary ancillary and enabling works. The scheme comprises of 139 residential units (46 affordable), commercial / retail. This application has been considered in comparison to an extant permission for Phase 3 offering 100 units (48 affordable) and commercial space".

- 3.2 Total GIA is stated in the benchmark appraisal to be 13,248m<sup>2</sup>. The breakdown of areas is assumed as follows:-

|                    |                            |
|--------------------|----------------------------|
| Retail /commercial | 301m <sup>2</sup>          |
| Residential        | 12,947m <sup>2</sup>       |
|                    | <b>13,248m<sup>2</sup></b> |

- 3.3 Construction costs are shown in the benchmark appraisal to be £51,098,100 (excluding extraordinary market condition risk). The breakdown of costs is as follows:-

|                              |             |
|------------------------------|-------------|
| Demolition / alteration      | £1,250,000  |
| Build costs                  | £32,079,591 |
| External works               | £1,852,557  |
| Sub-total                    | £35,182,148 |
| Adjustments / target savings | -£52,456    |
| Sub-total                    | £35,129,692 |
| Pre-contract preliminaries   | £2,751,237  |
| Preliminaries                | £6,390,565  |
| Design fees                  | £1,263,825  |
| OHP                          | £1,210,754  |
| Contingency                  | £1,356,334  |

|                            |                           |
|----------------------------|---------------------------|
| Inflation uplift 3Q22-1Q24 | £2,995,694                |
| <b>Total (rounded)</b>     | <b><u>£51,098,100</u></b> |

However, different construction costs of £53,653,005 are shown in the appraisal summary (updated position). These costs include the above sum from the benchmark appraisal and 5% contingency added to it. We have assessed our construction costs against the sum of £53,653,005.

- 3.4 Date basis for the costs is stated to be 2Q2022. However, the inflation allowance has been added at 6.27%, which brings the date basis for the costs to 1Q2024(midpoint construction).
- 3.5 Costs are presented in an elemental summary and partially quantified breakdown.
- 3.6 The benchmark appraisal includes preliminaries at 18.19%, overheads and profit at 2.92% and contingency at 3.17%. It should be noted that further contingency at 5% have been added on the appraisal summary, making them 8.17% in total.

#### **4.0 GBA ASSESSMENT OF CONSTRUCTION COSTS**

- 4.1 To benchmark the figures in the benchmark appraisal, we have calculated costs using BCIS average m2 rates. These rates relate to buildings only, so we have added allowances for external works, plus any abnormals – see following clauses.
- 4.2 Date basis for the costs is 3Q2022.
- 4.3 We have used Mean BCIS rates, rebased to Camden. For Block B we have used BCIS Upper Quartiles rates to reflect high rise building.
- 4.4 We have reviewed the costs allowed in the benchmark appraisal for works excluded from BCIS average rates. We consider the cost for demolition and enabling works, external works and services to be reasonable, and we have therefore used these in our assessment.
- 4.5 We have also reviewed the benchmark appraisal and design and access statement in detail to see if there are any abnormal costs that we do not expect would be included in BCIS rates. We believe that the following could be considered as abnormal:
  - Piled foundations
  - Extra over costs for green roof
  - Extra over costs for high area of inset balconies including column's brickwork not included in GIA
  - Extra over costs for bolt on balconies not included in GIA
  - Extra over costs for enhanced elevational treatment
  - Sprinkler system
  - Extra over costs for built-in wardrobes
  - PV installations
  - ASHP
  - Allowance for mechanical cooling system

- 4.6 In line with common practice and general guidance we have added an allowance of 5% for contingency.
- 4.7 On the basis of the foregoing we have calculated a total construction cost of £46,326,182 – see Appendix A.

## **5.0 CONCLUSION**

- 5.1 The difference between costs in the appraisal summary and an assessment of costs using BCIS is £7,326,823 or 15.82% - see Appendix B.
- 5.2 We conclude that the construction costs put forward in the appraisal summary are £7,326,823 or 15.82% higher than our own assessment of costs. However, the applicant's costs include pre-contract preliminaries, project/design team fees and inflation uplift, which we would not normally expect to be included. If these additional costs are excluded the applicant's construction costs are within estimating margin of our own assessment of costs. We consider that significant cost difference of 15.82% between the applicant's costs and our own assessment of costs results largely from the inclusion of these additional factors which would not normally be included.

## **6.0 REVIEW OF PROFESSIONAL FEES AND CONSTRUCTION DURATION**

- 6.1 Professional fees are stated in the appraisal summary to be 10%, which is considered to be reasonable. However, the benchmark appraisal includes pre-contract preliminaries at 7.83%, which we consider to be design fees or PCSDA (presumably Pre-Construction Services Design Agreement), but the applicant provides no information or breakdown to allow us to review these costs in detail. In addition, there is a further allowance of 3.6% for project/design team fees. It makes the overall professional fees allowance in excess of 21%, which we consider to be very high.
- 6.2 The viability report allows 24 months for construction. BCIS estimated construction duration is average 22 months, with the top of the interval 25 months. Taking into consideration that the development consists of three blocks we consider proposed 24 months to be reasonable.

## APPENDIX A

### CALCULATION OF COSTS USING BCIS M2 RATES

#### Base costs based on M2 rates

|  |        |      |        |     |                    |
|--|--------|------|--------|-----|--------------------|
| Block A and C - 79 flats (4-9 storey)          | 7,761  | m2 @ | £2,562 | /m2 | £19,883,682        |
| *Block B - 60 flats (7-11 storeys) - high rise | 5,186  | m2 @ | £2,755 | /m2 | £14,287,430        |
| Commercial / retail                            | 301    | m2 @ | £2,218 | /m2 | £667,618           |
| Total  | 13,248 |      | £2,630 |     | <b>£34,838,730</b> |

#### Additional costs not included in base rates

|                               |  |  |  |  |                   |
|-------------------------------|--|--|--|--|-------------------|
| Demolition and enabling works |  |  |  |  | £1,521,440        |
| External works and services   |  |  |  |  | £2,254,843        |
|                               |  |  |  |  | <b>£3,776,283</b> |

#### Abnormal costs

|  |        |      |        |     |                   |
|--|--------|------|--------|-----|-------------------|
| Piled foundations  | 3,747  | m2 @ | £250   | /m2 | £936,750          |
| Extra over costs for green roof  | 600    | m2 @ | £120   | /m2 | £72,000           |
| Extra over costs for high area of inset balconies including column's brickwork not included in GIA | 667    | m2 @ | £750   | /m2 | £500,250          |
| Extra over costs for bolt on balconies not included in GIA   | 42     | nr @ | £8,000 | /nr | £336,000          |
| Extra over costs for enhanced elevational treatment  | 13,248 | m2 @ | £100   | /m2 | £1,324,800        |
| Sprinkler system   | 13,248 | m2 @ | £45    | /m2 | £596,160          |
| Extra over costs for built-in wardrobes  | 141    | nr @ | £1,200 | /nr | £169,200          |
| PV installations   | 139    | nr @ | £3,500 | /nr | £486,500          |
| ASHP   | 139    | nr @ | £5,000 | /nr | £695,000          |
| Allowance for mechanical cooling system  | 111    | nr @ | £3,500 | /nr | £388,500          |
|  |        |      |        |     | <b>£5,505,160</b> |

|                                 |  |  |    |  |             |
|---------------------------------|--|--|----|--|-------------|
| Total base and additional costs |  |  |    |  | £44,120,173 |
| Contingency                     |  |  | 5% |  | £2,206,009  |

---

**£46,326,182**

---

Cost per m2 of GIA £3,497

**Notes:**

1. BCIS rates are Mean rates, rebased to Camden and current date (3Q2022).
2. BCIS rates are inclusive of prelims and OHP.
3. \* BCIS Upper Quartiles rates to reflect high rise building.
4. Costs of demolition and enabling works, external works and services are taken from Wates Benchmark Appraisal.
5. Abnormal costs - GBA own assessment.
6. All additional and abnormal costs are inclusive of preliminaries and OHP.

## APPENDIX B

### COMPARISON OF DEVELOPMENT APPRAISAL AGAINST COSTS USING BCIS M2 RATES

|                                       |             |
|---------------------------------------|-------------|
| Cost using BCIS m2 rates - Appendix A | £46,326,182 |
| Cost from development appraisal       | £53,653,005 |
| Difference £                          | £7,326,823  |
| Difference %                          | 15.82%      |



## APPENDIX C: BCIS DATA



### £/m<sup>2</sup> study

**Description:** Rate per m<sup>2</sup> gross internal floor area for the building Cost including prelims.

**Last updated:** 30-Jul-2022 05:38

➤ Rebased to London Borough of Camden ( 128; sample 53 )

**Maximum age of results:** Default period

| Building function<br>(Maximum age of projects) | £/m² gross internal floor area |        |                 |        |                 |         | Sample |
|--|--------------------------------|--------|-----------------|--------|-----------------|---------|--------|
|  | Mean                           | Lowest | Lower quartiles | Median | Upper quartiles | Highest |        |
| New build                                      |                                |        |                 |        |                 |         |        |
| 345. Shops                                     |                                |        |                 |        |                 |         |        |
| Generally (30)                                 | 2,218                          | 831    | 1,197           | 1,794  | 2,862           | 5,835   | 20     |
| 1-2 storey (30)                                | 2,237                          | 831    | 1,196           | 1,742  | 2,892           | 5,835   | 19     |
| 3-5 storey (30)                                | 1,846                          | -      | -               | -      | -               | -       | 1      |
| 816. Flats (apartments)                        |                                |        |                 |        |                 |         |        |
| Generally (15)                                 | 2,157                          | 1,062  | 1,791           | 2,041  | 2,439           | 7,440   | 842    |
| 1-2 storey (15)                                | 2,039                          | 1,261  | 1,721           | 1,936  | 2,288           | 3,763   | 180    |
| 3-5 storey (15)                                | 2,126                          | 1,062  | 1,788           | 2,028  | 2,401           | 4,486   | 564    |
| 6 storey or above (15)                         | 2,562                          | 1,557  | 2,079           | 2,403  | 2,755           | 7,440   | 95     |



## New Build, Construction

### ABBAY ROAD PHASE 3, BELSIZE ROAD, LONDON NW6 4DX

---

**The estimated construction duration from Start on Site to Construction Completion is 95 weeks**  
( this is an average for the project as described below ).

The 90% confidence interval for this estimate is 85 to 106 weeks.

Individual projects will take more or less time than the average: the 90% prediction interval for individual projects is 64 to 140 weeks.

**The estimate is based on the following project details:**

**Contract value:** £46,400,000 at 3Q 2022 (369; forecast) prices and London Borough of Camden ( 128; sample 53 ) level

**Building function:** Flats

**Procurement:** Design and build

**Selection of contractor:** Single stage tendering

**Client organisation:** Private

## Appendix 2: BPS Appraisal

Abbey Road - Updated Position  
BPS

Development Appraisal  
BPS Surveyors  
16 August 2022

**APPRAISAL SUMMARY****BPS SURVEYORS****Abbey Road - Updated Position  
BPS****Appraisal Summary for Phase 1**

Currency in £

**REVENUE**

| Sales Valuation        | Units      | ft <sup>2</sup> | Sales Rate ft <sup>2</sup> | Unit Price | Gross Sales       |
|------------------------|------------|-----------------|----------------------------|------------|-------------------|
| Phase 1 - Private Sale | 75         | 60,127          | 881.00                     | 706,292    | 52,971,887        |
| Phase 1 - Social Rent  | <u>66</u>  | <u>55,929</u>   | 178.00                     | 150,839    | <u>9,955,362</u>  |
| <b>Totals</b>          | <b>141</b> | <b>116,056</b>  |                            |            | <b>62,927,249</b> |

**Rental Area Summary**

|                       | Units    | ft <sup>2</sup> | Rent Rate ft <sup>2</sup> | Initial MRV/Unit | Net Rent at Sale | Initial MRV    |
|-----------------------|----------|-----------------|---------------------------|------------------|------------------|----------------|
| Phase 1 - Retail B1   | 1        | 3,511           | 30.00                     | 105,330          | 105,330          | 105,330        |
| Phase 1 - Supermarket | <u>1</u> | <u>4,383</u>    | 30.00                     | 131,490          | <u>131,490</u>   | <u>131,490</u> |
| <b>Totals</b>         | <b>2</b> | <b>7,894</b>    |                           |                  | <b>236,820</b>   | <b>236,820</b> |

**Investment Valuation****Phase 1 - Retail B1**

|             |         |                |         |         |           |
|-------------|---------|----------------|---------|---------|-----------|
| Market Rent | 105,330 | YP @           | 5.8409% | 17.1208 |           |
|             |         | PV 1yr 6mths @ | 5.8409% | 0.9184  | 1,656,132 |

**Phase 1 - Supermarket**

|             |         |           |         |         |           |
|-------------|---------|-----------|---------|---------|-----------|
| Market Rent | 131,490 | YP @      | 5.8448% | 17.1092 |           |
|             |         | PV 2yrs @ | 5.8448% | 0.8926  | 2,008,088 |

**Total Investment Valuation****3,664,220****GROSS DEVELOPMENT VALUE****66,591,469**

|                                  |       |           |           |
|----------------------------------|-------|-----------|-----------|
| Purchaser's Costs                |       | (249,167) |           |
| Effective Purchaser's Costs Rate | 6.80% |           | (249,167) |

**NET DEVELOPMENT VALUE****66,342,302****NET REALISATION****66,342,302****OUTLAY****ACQUISITION COSTS**

|             |   |   |   |
|-------------|---|---|---|
| Fixed Price | 1 |   |   |
| Fixed Price |   | 1 |   |
|             |   |   | 1 |

**CONSTRUCTION COSTS**

| Construction           | Units | Unit Amount | Cost       |
|------------------------|-------|-------------|------------|
| Phase 1 - Build Cost   | 1 un  | 55,917,681  | 55,917,681 |
| Developers Contingency |       | 5.00%       | 2,795,884  |
|                        |       |             | 58,713,565 |

**Section 106 Costs**

|                                 |         |
|---------------------------------|---------|
| Bus countdown contribution      | 20,000  |
| Environmental Contribution      | 20,000  |
| Phase 1 Employment Contribution | 100,000 |
| Phase 1 Education Contribution  | 144,473 |
| Travel Monitoring Contribution  | 5,729   |
|                                 | 290,202 |

**PROFESSIONAL FEES**

|                   |        |           |
|-------------------|--------|-----------|
| Professional Fees | 10.00% | 5,591,768 |
|                   |        | 5,591,768 |

**DISPOSAL FEES**

|                  |       |           |
|------------------|-------|-----------|
| Sales Agent Fee  | 1.00% | 529,719   |
| Marketing        | 1.50% | 794,578   |
| AH Disposal Fees |       | 50,000    |
| Sales Legal Fee  | 0.50% | 264,859   |
|                  |       | 1,639,157 |

**MISCELLANEOUS FEES**

|                  |       |           |
|------------------|-------|-----------|
| Developer Profit | 6.00% | 3,995,488 |
|------------------|-------|-----------|

**APPRAISAL SUMMARY****BPS SURVEYORS****Abbey Road - Updated Position  
BPS**

3,995,488

**FINANCE**

Multiple Finance Rates Used (See Assumptions)

|                    |           |
|--------------------|-----------|
| Land               | 0         |
| Construction       | 2,403,017 |
| Commercial Letting | 801,076   |
| Other              | 3,447,208 |
| Total Finance Cost | 6,651,301 |

**TOTAL COSTS****76,881,481****PROFIT****(10,539,179)****Performance Measures**

|                                     |                 |
|-------------------------------------|-----------------|
| Profit on Cost%                     | -13.71%         |
| Profit on GDV%                      | -15.83%         |
| Profit on NDV%                      | -15.89%         |
| Development Yield% (on Rent)        | 0.31%           |
| Equivalent Yield% (Nominal)         | 5.84%           |
| Equivalent Yield% (True)            | 6.06%           |
| IRR% (without Interest)             | -6.86%          |
| Rent Cover                          | -44 yrs -6 mths |
| Profit Erosion (finance rate 4.000) | N/A             |



**Abbey Road - Updated Position  
BPS**
**Table of Profit Amount and Gross Development Value**

| Sales: Rate /ft²         |               |               |               |               |               |
|--------------------------|---------------|---------------|---------------|---------------|---------------|
| Construction: Gross Cost | -10.00 /ft²   | -5.00 /ft²    | 0.00 /ft²     | +5.00 /ft²    | +10.00 /ft²   |
|                          | 871.00 /ft²   | 876.00 /ft²   | 881.00 /ft²   | 886.00 /ft²   | 891.00 /ft²   |
| -10.000%                 | (£2,740,487)  | (£2,392,087)  | (£2,043,686)  | (£1,695,286)  | (£1,346,885)  |
| 50,325,913               | £65,990,199   | £66,290,834   | £66,591,469   | £66,892,104   | £67,192,739   |
| -5.000%                  | (£6,988,234)  | (£6,639,833)  | (£6,291,433)  | (£5,943,032)  | (£5,594,632)  |
| 53,121,797               | £65,990,199   | £66,290,834   | £66,591,469   | £66,892,104   | £67,192,739   |
| 0.000%                   | (£11,235,980) | (£10,887,580) | (£10,539,179) | (£10,190,779) | (£9,842,379)  |
| 55,917,681               | £65,990,199   | £66,290,834   | £66,591,469   | £66,892,104   | £67,192,739   |
| +5.000%                  | (£15,483,727) | (£15,135,327) | (£14,786,926) | (£14,438,526) | (£14,090,125) |
| 58,713,565               | £65,990,199   | £66,290,834   | £66,591,469   | £66,892,104   | £67,192,739   |
| +10.000%                 | (£19,731,474) | (£19,383,073) | (£19,034,673) | (£18,686,272) | (£18,337,872) |
| 61,509,449               | £65,990,199   | £66,290,834   | £66,591,469   | £66,892,104   | £67,192,739   |

**Sensitivity Analysis : Assumptions for Calculation**
**Sales: Rate /ft²**

Original Values are varied in Fixed Steps of £5.00

| Heading                | Phase | Rate    | No. of Steps   |
|------------------------|-------|---------|----------------|
| Phase 1 - Private Sale | 1     | £881.00 | 2.00 Up & Down |

**Construction: Gross Cost**

Original Values are varied by Steps of 5.000%.

| Heading              | Phase | Amount      | No. of Steps   |
|----------------------|-------|-------------|----------------|
| Phase 1 - Build Cost | 1     | £55,917,681 | 2.00 Up & Down |