



PLANNING SERVICES

TOWN & COUNTRY PLANNING (DETERMINATION BY INSPECTORS) (INQUIRIES PROCEDURE) (ENGLAND) RULES 2000

STATEMENT OF CASE London Borough of Camden

APPEAL SITE

Alpha House, 24-27 Regis Road, London, NW5 3ER

APPELLANT

Big Yellow Self Storage Company Limited

SUBJECT OF APPEAL

Appeal Statement in Support of the Council's decision to refuse Full Planning Permission application (ref: 2023/0093/P) on 25th August 2023 for:

"Demolition of the existing building and the construction of a self-storage facility (Use Class B8) and office space (Use Class E(g)(i)), together with vehicle and cycle parking and landscaping"

COUNCIL REFERENCE: 2023/0093/P

PLANNING INSPECTORATE REFERENCE: APP/X5210/W/24/3337347

The Council reserves the right to amend or supplement the Statement of Case.

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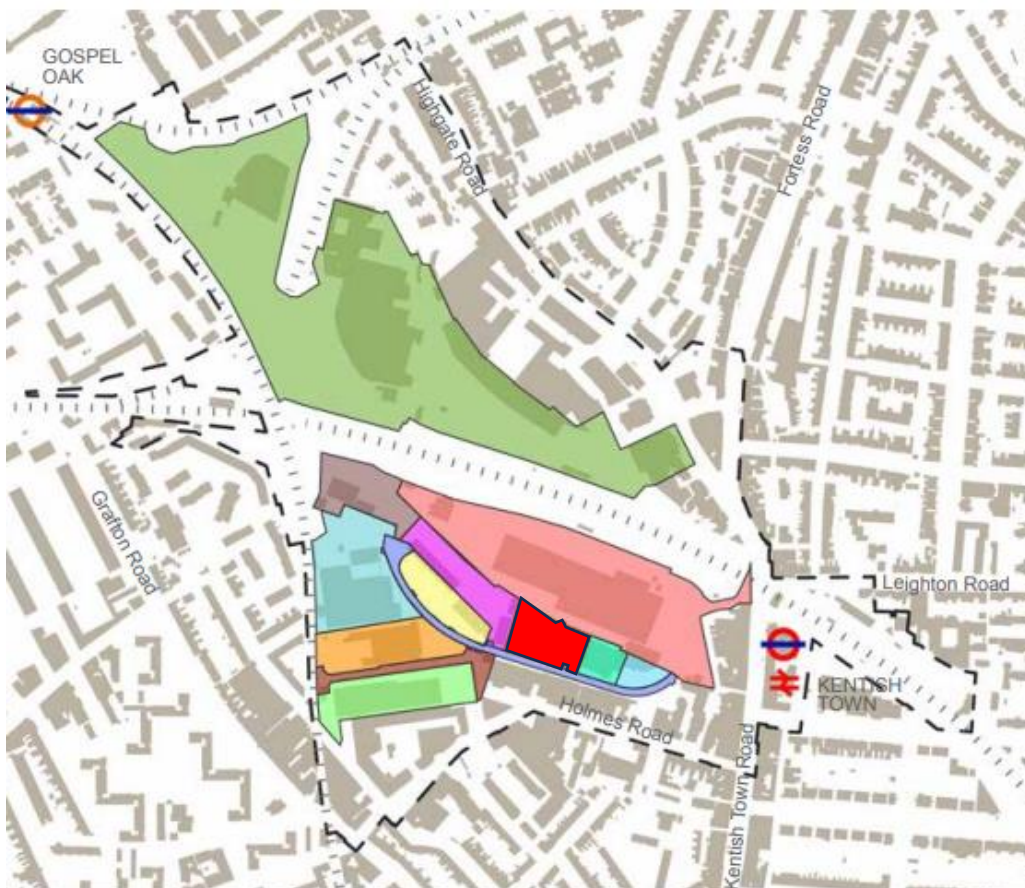
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1. SITE AND SURROUNDINGS

- 1.1. The 0.36 ha site comprises a two-storey warehouse building together with a vehicle parking area to the east and servicing area to the north. Built form occupies 47% of the site area. The building was constructed in the late 20th century and is of brick construction with vertically proportioned windows that span both storeys puncturing the south elevation at regular intervals. The building has a pitched roof constructed using a metal sheet system with rooflights. Soft landscaping runs around the boundary of the site with the only maintained area being a grassy verge between the south elevation of the building and Regis Road. A fire escape door leads, via a platform, to Regis Road with the main entrance being on the east elevation accessed from the parking area. The site includes an electrical substation in the southwest corner.
- 1.2. The building is currently vacant but was previously let as a combination of warehouse/ office space (Class B1/B8). The existing building comprises 2,030 sqm GIA of accommodation plus car parking area and areas of soft landscaping.
- 1.3. The surrounding area is predominantly industrial with a large-scale warehouse building to the north occupied by UPS. To the east, a warehouse building ('JML House') adjoins the appeal site's parking area and is occupied by a range of uses including an NHS facility, various food delivery business and 'Howdens' kitchen and appliances trade store. To the south stands a large student building (54-74 Holmes Road) and recently completed residential block (52 Holmes Road) both of which are accessed from Holmes Road to the south. To the west is the Regis Road Reuse and Recycling Centre and Car Pound which stretches across the rear of a single storey run of industrial units situated behind a parking forecourt. The Reuse and Recycling Centre is identified within North London Waste Plan (June 2022) as the only safeguarded waste site in the borough.
- 1.4. Surrounding heights of nearby industrial buildings are relatively consistent with the application site at around two to three storeys although it is noted that describing heights in number of storeys is less helpful for industrial uses as they have atypically high floor to ceiling heights. To the south of the application site, the student housing and residential block are six storeys.

1.5. The existing building is not statutorily or locally listed, nor is it located within a conservation area. There are no statutorily or locally listed buildings or structures in the immediate surroundings.

1.6. The site, marked in red on the below diagram, occupies a central position in the Regis Road Growth Area, a 7.5-hectare area designated in the Camden Local Plan for comprehensive employment-led mixed-use development. It is bound to the north and west by railway lines, to the south by the rear of properties along Holmes Road and to the east by York Mews behind Kentish Town Road. The area is in multiple landownerships, as expressed by the diagram below, with access currently restricted to the Regis Road/Kentish Town Road junction. As can be seen from the plan below, Regis Road (coloured mauve) is in private ownership whereas Holmes Road and other surrounding roads (coloured white) are public highways.



1.7. The Regis Road Growth Area is situated within the Kentish Town Planning Framework Area (indicated by black dotted line on above diagram) which is explained in more detail in paragraph 4.6.

- 1.8. The site is also within the Kentish Town Neighbourhood Area and, as such, the Kentish Town Neighbourhood Plan forms part of the Development Plan for the site.
- 1.9. It is noted that whilst the appeal site and wider Regis Road Growth Area contain industrial and related functions, they are not designated industrial sites in the Local Plan. The site is therefore recognised as a 'Non-Designated Industrial Site' by the London Plan (policy E4).

2. THE APPEAL PROPOSAL

- 2.1. It is proposed to demolish the existing building and construct a five-storey building together with a vehicle parking area, cycle parking and landscaping works. An existing substation would be situated outside the building's envelope in the south-west corner, located behind timber fencing.
- 2.2. The building would be mainly used as a self-storage facility (Use Class B8) with an element of office floorspace (Use Class E(g)(i)), as set out in Table X below:
- 2.3. Notwithstanding its height, the appeal scheme seeks consent for the construction of the storage building and the permanent floors (ground and second) only, resulting in a net increase in floorspace of 767 sqm. It has been designed with the potential to insert three demountable 'mezzanine' levels after practical completion resulting in a potential net increase in floorspace of 6,243 sqm.
- 2.4. The office floorspace would be located at first and second floor levels with its own entrance to the front of the building. The office floorspace proposed across the two permanent floors is 289sqm. In the event of the demountable mezzanines being inserted after practical completion, this would increase to 566 sqm.

3. RELEVANT PLANNING HISTORY

- **PEX0200392** - Insertion of a mezzanine floor (area approx. 1,340 sq metres) in connection with the use of the premises as an office and distribution plant (Use Classes B1(a)/B8) - **Granted 09/12/2002**
- **PEX0100963** - Change of use from Class B1 (Business) to Class B8 (Storage and Distribution) - **Granted 22/04/2002**

4. LEGISLATIVE AND PLANNING POLICY FRAMEWORK

National Planning Policy Framework (NPPF) 2023

- 4.1. The NPPF was first published on 27th March 2012. It provides a national planning policy framework against which all planning applications and decisions must be made. The NPPF was most recently revised on 19th December 2023 and sets out

the government's planning policies for England. The policies contained in the NPPF 2023 are material considerations which should be taken into account in determining planning applications.

Development Plan

- 4.2. The current development plan in relation to the appeal site comprises the North London Waste Plan 2022, the London Plan 2021, the Camden Local Plan 2017, the Kentish Town Neighbourhood Plan 2016, the Site Allocations Local Development Document 2013.

London Plan 2021

- 4.3. The London Plan 2021 is a strategic planning document in London. The most relevant policies and objectives are listed below:

Planning London's Future - Good Growth

- GG1 Building strong and inclusive communities
- GG2 Making the best use of land
- GG3 Creating a healthy city
- GG4 Delivering the homes Londoners need
- GG5 Growing a good economy
- GG6 Increasing efficiency and resilience

Spatial Development Patterns

- Policy SD1 Opportunity Areas
- Policy SD10 Strategic and local regeneration

Design

- Policy D1 London's form, character and capacity for growth
- Policy D2 Infrastructure requirements for sustainable densities
- Policy D3 Optimising site capacity through the design-led approach
- Policy D4 Delivering good design
- Policy D5 Inclusive design
- Policy D8 Public realm

Housing

- Policy H1 Increasing housing supply

Economy

- Policy E1 Offices
- Policy E2 Providing suitable business space
- Policy E3 Affordable workspace
- Policy E4 Land for industry, logistics and services to support London's economic function
- Policy E7 Industrial intensification, co-location and substitution
- Policy E8 Sector growth opportunities and clusters
- Policy E11 Skills and opportunities for all

Heritage and Culture

- Policy HC4 London View Management Framework

Green Infrastructure and Natural Environment

- Policy G4 Open space
- Policy G5 Urban greening

Sustainable Infrastructure

- Policy SI 1 Improving air quality
- Policy SI 2 Minimising greenhouse gas emissions
- Policy SI 4 Managing heat risk
- Policy SI 5 Water infrastructure
- Policy SI 7 Reducing waste and supporting the circular economy
- Policy SI 8 Waste capacity and net waste self-sufficiency
- Policy SI 12 Flood risk management
- Policy SI 13 Sustainable drainage

Transport

- Policy T1 Strategic approach to transport
- Policy T2 Healthy Streets
- Policy T3 Transport capacity, connectivity and safeguarding
- Policy T4 Assessing and mitigating transport impacts
- Policy T5 Cycling
- Policy T6 Car parking
- Policy T7 Deliveries, servicing and construction

- Policy T9 Funding transport infrastructure through planning

Funding the London Plan

- Policy DF1 Delivery of the Plan and Planning Obligations

Monitoring

- Policy M1 Monitoring

Camden Local Plan 2017

4.4. The Local Plan was adopted by the Council in July 2017 and replaced the Core Strategy and Camden Development Policies documents as the basis for planning decisions. The most relevant policies to be considered as part of the appeal process are listed below:

Growth and Spatial Strategy

- G1 Delivery and location of growth

Economy and Jobs

- E1 Economic development
- E2 Employment premises and sites

Protecting Amenity

- A1 Managing the impact of development
- A3 Biodiversity
- A4 Noise and vibration

Design and Heritage

- D1 Design

Community, health and wellbeing

- C6 Access for all

Sustainability and Climate Change

- CC1 Climate change mitigation
- CC2 Adapting to climate change

- CC3 Water and flooding
- CC4 Air quality
- CC5 Waste

Transport

- T1 Prioritising walking, cycling and public transport
- T2 Parking and car-free development
- T4 Sustainable movement of goods and materials

Delivery and Monitoring

- DM1 Delivery and monitoring

Kentish Town Neighbourhood Plan

4.5. The Kentish Town Neighbourhood Plan was adopted in September 2016 and is part of the Development Plan for Camden. The most relevant policies to be considered as part of the appeal process are listed below:

General Development Policies

D1 View from Parliament Hill

D3 Design principles

Spatial Policies

SP2 Kentish Town Potential Development Area

SP2a KTPDA General development criteria

Other Material Planning Considerations

Kentish Town Planning Framework (KTPF)

4.6. The Kentish Town Planning Framework was adopted on the 17th July 2020. It is a supplementary planning document (SPD), providing additional information and detailed guidance on the application of the Council's planning policies relating to this specific growth area. As an SPD, the planning framework is a material consideration in the Council's planning decision-making for Regis Road. The planning framework has been prepared by LB Camden between 2018-2020, with

detailed supporting studies into site analysis, access and infrastructure, and public consultation.

Camden Planning Guidance (CPG)

4.7. The Camden Local Plan 2017 is supported by the Council's CPGs. These documents were created following extensive public consultation. The relevant documents are listed below:

- CPG Access for all 2019
- CPG Air quality 2021
- CPG Amenity 2021
- CPG Biodiversity 2018
- CPG Design 2021
- CPG Developer contributions 2019
- CPG Employment sites and business premises 2021
- CPG Energy efficiency and adaptation 2021
- CPG Public open space 2021
- CPG Transport 2021
- CPG Water and Flooding 2019

Draft new Camden Local Plan

4.8. In January 2024, the Council published a draft new Camden Local Plan (Regulation 18), which incorporates Site Allocations, for consultation. As an emerging plan, the draft new Local Plan is now a material consideration in planning decisions. At this early stage in the preparation process, the draft new Local Plan has limited weight in planning decisions, but as a statement of the Council's emerging approach, it demonstrates the direction of travel. The Council will refer to parts of the evidence base for the emerging Plan. Furthermore, the draft new Local Plan incorporates Site Allocations Local Plan and so replaces the draft Site Allocations Local Plan 2020 which have already been through two rounds of formal consultation, first between February and March 2020 and second between December 2021 and January 2022. Site Allocations C2 relates specifically to Regis Road and Holmes Road Depot.

Development Strategy

- DS1 Delivering Healthy and Sustainable Development

Central Camden

- C1 Central Camden
- C2 (KT2) Regis Road and Holmes Road Depot

Delivering and Inclusive Economy

- IE1 Growing a successful and inclusive economy
- IE2 Offices
- IE3 Industry
- IE4 Affordable and specialist workspace

Protecting Amenity

- A1 Managing the impact of development
- A3 Air quality
- A4 Noise and vibration

The Natural Environment

- NE2 Biodiversity

Design and Heritage

- D1 Achieving Design Excellence
- D2 Tall Buildings

Supporting Camden's Communities

- SC2 Social and community infrastructure
- SC3 Open Space

Responding to Climate Change

- CC1 Climate change mitigation
- CC2 Adapting to climate change
- CC3 Circular economy and the reduction of waste
- CC5 Waste

Transport

- T1 Safe, healthy and sustainable transport

- T2 Prioritising walking, wheeling and cycling
- T5 Parking and car-free development

Delivery and Monitoring

- DM1 Delivery and monitoring

London Plan Guidance (LPG)

4.9. London Plan Guidance (LPG) provides further information about how the London Plan should be implemented. Below is a list of the most relevant documents:

- Accessible London SPG
- Characterisation and Growth Strategy LPG
- Optimising Site Capacity: A design-led approach LPG
- Social Infrastructure SPG
- Industrial Land and Uses LPG (draft)
- London View Management Framework SPG
- Air Quality Neutral
- Be Seen Energy Monitoring LPG
- Circular Economy Statements LPG
- Energy Planning Guidance
- The Control of Dust and Emissions in Construction SPG
- Whole Life Carbon LPG
- Sustainable Transport, Walking and Cycling
- Use of Planning Obligations in the Funding of Crossrail, and the Mayoral Community Infrastructure Levy SPG

5. REASONS FOR REFUSAL

5.1. The Council determined the planning application under delegated powers on 25th August 2023 and refused planning permission for 10 reasons. The decision notice is attached as Appendix 2 which outlines all reasons for refusal (RfR). The reasons for refusal are also listed below:

1. The proposal, by representing piecemeal development, prejudices the comprehensive redevelopment of the area and fails to promote the most

efficient use of land, including the provision of a mix of land uses and supporting infrastructure, contrary to policies G1 (Delivery and location of growth), E1 (Economic development) and H1 (Maximising housing supply) of the Camden Local Plan 2017 and policies SP2 (Kentish Town Potential Development Area) and SP2a (KTPDA – General Development Criteria) of the Kentish Town Neighbourhood Plan 2016.

2. The proposed development, by reason of its height, mass, footprint and detailed design, would fail to make the best use of its site or respect the design aspirations for the Regis Road Growth Area, contrary to policies G1 (Delivery and location of growth) and D1 (Design) of the London Borough of Camden Local Plan 2017 and policies D3 (Design principles) and SP2a (KTPDA – General Development Criteria) of the Kentish Town Neighbourhood Plan 2016.
3. The proposed development, in the absence of a condition and feasibility study and options appraisal, has failed to demonstrate that the proposed substantial demolition is justified contrary to policy CC1 (Climate change mitigation) of the London Borough of Camden Local Plan 2017 and policies SI2 (Minimising greenhouse gas emissions) and SI7 (Reducing waste and supporting the circular economy) of the London Plan 2021.
4. The proposed development, in the absence of a legal agreement to secure the details set out on the sustainability and energy plans, a BREEAM pre-assessment and a carbon offset contribution, would be likely to contribute to climate change, contrary to policies CC1 (Climate change mitigation), CC2 (Adapting to climate change), CC3 (Water and flooding), CC4 (Air quality), C1 (Health and wellbeing) and DM1 (Delivery and monitoring of the London Borough of the London Borough of Camden Local Plan 2017 and policy SP2a (KTPDA – General Development Criteria) of the Kentish Town Neighbourhood Plan 2016.
5. The proposed development, in the absence of a legal agreement to secure a car-free development, would be likely to contribute unacceptably to parking stress, environmental impacts and congestion in the surrounding area, contrary to policies T1 (Prioritising walking, cycling and public transport), T2 (Parking and car-free development), CC1 (Climate change mitigation) and DM1 (Delivery and monitoring) of the London Borough of Camden Local Plan

2017 and policy SP2a (KTPDA – General Development Criteria) of the Kentish Town Neighbourhood Plan 2016.

6. The proposed development, in the absence of a legal agreement to secure a Construction Management Plan, construction impact bond and a financial contribution for construction management plan monitoring, would be likely to give rise to conflicts with other road users and be detrimental to the amenities of the area generally, contrary to policies G1 (Delivery and location of growth), A1 (Managing the impact of development), T3 (Transport Infrastructure), T4 (Sustainable movement of goods and materials), DM1 (Delivery and monitoring), A4 (Noise and Vibration) and CC4 (Air quality) of the London Borough of Camden Local Plan 2017.
7. The proposed development, in the absence of a legal agreement securing a carbon off-set contribution, would fail to meet the requirement for zero carbon, contrary to policies CC1 (Climate change mitigation), CC2 (Adapting to climate change) and DM1 (Delivery and monitoring) of the London Borough of the London Borough of Camden Local Plan 2017.
8. The proposed development, in the absence of a legal agreement for a Local Level Travel Plan and financial contributions for the associated monitoring, would be likely to give rise to conflicts with other road users and be detrimental to the amenities of the area generally, contrary to policies G1 (Delivery and location of growth), A1 (Managing the impact of development), T3 (Transport Infrastructure), DM1 (Delivery and monitoring), A4 (Noise and Vibration) and CC4 (Air quality) of the London Borough of Camden Local Plan 2017.
9. The proposed development, in the absence of a legal agreement securing a local employment and training package including an appropriate financial contribution, would be likely to lead to the exacerbation of local skill shortages and lack of training opportunities and would fail to contribute to the regeneration of the area, contrary to policies G1 (Delivery and location of growth), E1 (Economic development) and DM1 (Delivery and monitoring) of the London Borough of Camden Local Plan 2017.
10. The proposed development, in the absence of a legal agreement securing affordable workspace for SMEs, would fail to provide a range of premises for

businesses to support Camden's economy, contrary to policies G1 (Delivery and location of growth), E1 (Economic development), E2 (Employment premises and sites) and DM1 (Delivery and monitoring) of the London Borough of Camden Local Plan 2017.

- 5.2. As per the informative on the decision notice, the Council considers that it would be possible to overcome reasons for refusal 4-10 by entering into a suitably worded section 106 legal agreement. The Appellant has indicated they are willing to enter into a Section 106 agreement with the Council and have included a draft agreement as an Appendix to the appeal submission. The Council aims to work with the Appellant to conclude a legal agreement before the forthcoming public inquiry is closed.

6. THE COUNCIL'S CASE

- 6.1. The proposal raises 10 areas of concern which are discussed in turn below. The Council's case is also set out within the officer's delegated report (Appendix 1) which details the proposal, site and surroundings, the site history, consultation responses and an assessment of the proposal.
- 6.2. As stated by an informative on the decision notice, it would be possible to overcome some of the reasons for refusal by entering into a Section 106 legal agreement. Justification for why these matters must be secured via legal agreement is included under the relevant headings below. The Council will continue to work with the Appellant where possible to overcome or narrow the reasons for refusal, and this will be set out in a Statement of Common Ground.

Reason for Refusal 1 – Piecemeal development

The proposal, by representing piecemeal development, prejudices the comprehensive redevelopment of the area and fails to promote the most efficient use of land, including the provision of a mix of land uses and supporting infrastructure, contrary to policies G1 (Delivery and location of growth), E1 (Economic development) and H1 (Maximising housing supply) of the Camden Local Plan 2017 and policies SP2 (Kentish Town Potential Development Area) and SP2a (KTPDA – General Development Criteria) of the Kentish Town Neighbourhood Plan 2016.

- 6.3. The Council will demonstrate that the proposed development, due to its being piecemeal in nature (i.e. a single site approach determined by landownership boundaries), would prejudice comprehensive redevelopment of the Regis Road Growth Area and the ability of the Council to deliver on the 'good growth' objectives of the Development Plan. The evidence will outline the policy basis for the refusal of planning permission and demonstrate why those policies are applicable to the appeal assessment.
- 6.4. The Council will demonstrate that policy G1 of the Camden Local Plan 2017 and policies SP2 and SP2a of the Kentish Town Neighbourhood Plan 2016 together with the Kentish Town Planning Framework 2021 establish commitment to a comprehensive approach to development. Policies DS1 and C1 of the draft new Camden Local Plan, have become material planning considerations since the application was determined and alongside the incorporated Site Allocations (C2), expressly require a comprehensive approach to delivery to realise the potential of the area.
- 6.5. The Council will go on to demonstrate the limitations of a piecemeal or 'plot-by-plot' approach to development compared to a comprehensive, masterplan-led approach. The masterplanning evidence will illustrate how the delivery of homes, jobs and infrastructure, which are the main objectives of the Growth Area designation in policy G1 and the Kentish Town Planning Framework, would all be prejudiced by a piecemeal approach. The evidence will show how such an approach would also adversely impact the deliverability and quality of public open space, an effective transport strategy and optimal quantum and distribution of uses across the Growth Area.
- 6.6. The Council's evidence will also show how a plot-by-plot approach (based on landownership) to delivering the Framework's objectives would be obstructed by the policy requirement to retain industrial floorspace. The challenge arises from the need to reprovide industrial floorspace, which is currently dispersed across the Growth Area, at the individual plot level and the consequences this has for high quality housing, public space and successful placeshaping. Comprehensive development on the other hand, would allow for industrial provision to be not only retained but intensified and enhanced in optimum locations where it wouldn't compromise other objectives of the Framework.

- 6.7. In terms of delivery, the evidence will show how a comprehensive approach can assist viability, allow for appropriate phasing, overcome construction complexities, and ultimately enable deliverability of the Framework's aspirations.
- 6.8. The reason for refusal refers to the proposal failing to provide a mix of land uses and being contrary to policy H1 (maximising housing supply) whilst the officer's report outlines the expectations for development in the Regis Road Growth Area to include a housing component.
- 6.9. Housing is the priority land use of the Camden Local Plan and a key deliverable of the planned comprehensive development across the Regis Road Growth Area. The Kentish Town Planning Framework expects around 1,000 new homes to be delivered in this area. To help achieve this it refers to a co-location of uses to achieve the aim of industrial intensification alongside significant housing delivery. It points to the need for innovative design typologies which could see industrial stacked or wrapped with residential. The Council will demonstrate why the absence of housing from the proposal, or the failure to demonstrate why the scheme cannot provide housing, conflicts with policies H1 of the Camden Local Plan and policy H1 of the London Plan.
- 6.10. The Government's most recently published figure revealed that Camden's housing completions in 2021/22 were 69% of the target with 1981 homes built of a combined target of 2891 homes. The need to provide housing both on this site and across the Regis Road Growth Area is reinforced by the development plan policy commitment to housing provision in the Borough and the national policy objective of 'significantly boosting the supply of homes' (NPPF paragraph 60).
- 6.11. Further, the Council will demonstrate that a piecemeal approach to development would prejudice the Council's ability to deliver an optimal amount of housing across the Growth Area (which in turn would compromise its ability to meet its housing targets) especially when compared to a comprehensive approach. The Council will also demonstrate that a piecemeal approach would limit the overall quality of housing compared to a comprehensive approach, owing to the need to reprovide industrial space at a plot-by-plot scale, which would result in co-location of uses across most, if not all, of the Growth Area and preclude a more fine-grained residential neighbourhood from coming forward. A further impediment to housing delivery when providing residential on a plot-by-plot scale

is the caution required to prevent prejudicing the potential of adjacent sites, in terms of protecting amenity and minimising land use conflicts, including having regard to the agent of change principle. Outside of a masterplan context, the impact on the future of neighbouring sites cannot properly be assessed and this could jeopardise their development potential or may result in site capacity not being optimised for fear of doing so. With a comprehensive approach, such sensitivities would be considered and mitigated so as to optimise site capacity.

6.12. The Appellant has submitted an Indicative Masterplan with the appeal submission to demonstrate how the Appeal Scheme could sit within masterplan-led redevelopment. The Appellant advises that it has been informed by the relevant Development Plan policies and aspirations of the KTPF, including the provision of more than 1,000 residential units. The Council does not consider that the appeal scheme masterplan has any merit and will demonstrate this as part of its evidence with reference to spatial policies and best practice principles around placemaking and urban design, including the National Design Guide (January 2021) and LB Camden Building Heights Study (January 2024) which makes specific reference to Regis Road (ref. AS07-01).

6.13. It is worth noting from the outset that the Appellant's masterplanning exercise apparently makes the assumption that all landownership boundaries across the growth area are disregarded other than those of the appeal site, thus implicitly accepting the notion of comprehensive development as necessary to the achievement of the policy objectives for the area. It also demonstrates that to achieve the Framework objectives, other sites have to accommodate all the land uses and infrastructure that the Appeal Scheme does not. As a result, there are huge disparities in scale ranging from the five storeys at the appeal site to 18 storey residential buildings. The taller buildings proposed are contrary to the KTPF principles on height which refers to mid-rise blocks with opportunities for occasional height. The LB Camden Building Heights Study, in its assessment of the Regis Road sub-area, identified appropriate heights as 4-16 storeys with the upper threshold only being exceptionally delivered in a place of great significance for the local area and thereby supporting legibility. The Study also states that the cumulative impact of tall buildings must be tested in long views and that they should provide a cohesive approach that organically integrates with the existing skyline characteristics, avoiding conspicuous large scale skyline ensembles creating the impression of a continuous wall of height or ladder of towers. The

appellant's illustrative masterplan includes tall housing buildings which display such conspicuous characteristics without any evident justification or impact assessment.

6.14. The Council will demonstrate that that significant work has been undertaken to support the preparation of a masterplan-led comprehensive approach to redevelopment of the Growth Area.

6.15. In 2021, the GLA, working collaboratively with Camden, undertook work to assess the scope for and means of intensifying development at and around Regis Road. The objectives of the Regis Road, Kentish Town, Pilot Area Industrial Intensification Delivery Strategy, as agreed by the GLA Housing & Land team and the London Borough of Camden, were to:

- a. deliver the comprehensive employment-led redevelopment of Regis Road, in accordance with the aspiration of LB Camden's Kentish Town Planning Framework;
- b. identify the required interventions needed to unlock development at Regis Road, and the wider SPD area;
- c. prepare an investment strategy to guide site assembly and acquisitions; and
- d. deliver high quality industrial space, and maximise delivery of affordable housing.

6.16. The design work was intended to provide a deliverable masterplan for the Regis Road Growth Area that reflects the ambitions of the Kentish Town Planning Framework, and policy E7 of the London Plan. In 2021, work was commissioned by the London Borough of Camden and the GLA to examine the implications of comprehensive and plot by plot approaches to the Area.

6.17. Subsequent to this work, the Council recognised the need to consider alternative approaches to bringing forward regeneration. This led to the Kentish Town Regeneration Strategy which was approved by Camden Cabinet on 16th November 2022. Following the approval of the Strategy and subsequent related delegated decisions, a contract for conditional land sale of the Council's land assets at Regis Road (Recycling & Reuse Centre) and Holmes Road (Depot and Flats) was exchanged with developer investor Yoo Capital. The land sale is conditional on Yoo Capital achieving policy compliant planning permission for the

sites in line with the principles of the Planning Framework and subsequent completion of the build-out in a timely manner. The intention of the land sale is to support the developer's endeavours to further assemble land on Regis Road, to act as a catalyst for regeneration and to enable the comprehensive delivery and masterplan-led approach to delivering the objectives of the Kentish Town Planning Framework and the Neighbourhood Plan.

6.18. The Cabinet report (para 2.9) identified a number of key workstreams which need to be progressed as part of the ongoing preparation of the Regeneration Strategy as follows, and discussed below:

- a. A masterplan and delivery proposal through collaboration and/or partnership with landowners and potential developers including consideration of the enabling role of Council's land assets;
- b. A service reprovion strategy enabling efficient optimal long-term service provision;
- c. Engagement programme with residents of the existing homes on the Holmes Road Depot site and the wider stakeholder community; and
- d. The case to use the Council's compulsory purchase and land appropriation powers and acquisitions if considered necessary to enable regeneration

a) Masterplan and delivery strategy

6.19. Preparation is underway by Yoo Capital and the local planning authority of a planning performance agreement setting out a programme for Yoo Capital-led discussions and forums with local landowners and local communities for a masterplan vision for the Growth Area, and preparation of associated planning applications. Yoo Capital has started to engage with local communities, stakeholders and landowners on their Camden Film Quarter vision for the area as expressed in their presentation material from public engagement in November 2023 and the Kentish Town Neighbourhood Forum AGM on 29 January 2024.

6.20. Yoo Capital has confirmed that they have acquired additional land, totalling a further 3.8 acres in the Regis Road Growth Area. The developer has also committed to leading discussions and forums with local landowners and the wider community of Kentish Town and Camden regarding a masterplan vision to ensure their development proposals deliver on the local regeneration strategy.

6.21. Joseph Homes has advised that they own two sites in the Growth Area, and has confirmed that they are committed to working with Camden and the neighbouring landowners and relevant stakeholders to regenerate the Regis Road area and to deliver a comprehensive masterplan for wider site. Preparation is underway by Joseph Homes and the local planning authority of a planning performance agreement setting out a programme for participating in preparation of a wider masterplan and an associated planning application for development on their landholdings.

b) Service re-provision strategy

6.22. The Council has commissioned a specialist consultant to review future depot provision requirements across Council Services. The study is scoped to include the Regis Road and Holmes Road depot and service facilities which need to be re-provided as part of the conditional land sale agreement. The study outputs will inform further decisions about how and where re-provision of the facilities to be displaced from the sale sites would provide optimal results for the relevant services in the long term.

c) Engagement programme with residents

6.23. Officers are preparing a Housing Strategy to address the conditional land sale requirement to provide vacant possession of the Holmes Road Depot, ready for future development by Yoo Capital. Officers have carried out one-to-one engagement discussions directly with each of the twenty households who are Council tenants in the flats above the Holmes Road Depot at 76 and 78 Holmes Road, and with the two resident leaseholder households who own flats in the buildings. Officers have also engaged with the three non-resident leaseholders. The information gathered about housing needs and preferences will inform the housing options to be drawn up as part of the next stage of the Housing Strategy. This work will be carried out alongside Yoo Capital's preparation of the masterplan and the subsequent housing component of their planning application.

d.) The case for Compulsory Purchase and Land Appropriation Powers

6.24. The Council is making preparations for a strategy for potential use of the Council's land appropriation and compulsory purchase powers to support the comprehensive redevelopment of the Regis Road Growth Area. The strategy will consider options for the whole of the Regis Road Growth Area, and any associated

land within the local area which may be reasonably required in order to support the delivery of comprehensive regeneration in accordance with a masterplan led approach, the development plan policies and the guidance within the Kentish Town Planning Framework.

6.25. The conditional land sale agreement contains a requirement for the Council to use its powers of appropriation for planning purposes when requested to do so by Yoo Capital. Yoo Capital have now confirmed its requirement for the Council to use these powers. It is necessary to consider how the Council's compulsory purchase powers might be utilised in conjunction with appropriation powers in order to ensure that comprehensive development is supported as required by the development plan and supporting guidance in the Planning Framework. Therefore, the strategy will be a joint one encompassing both the use of appropriation and Compulsory Purchase Order (CPO) powers. The need for the joint strategy has arisen following the recent work carried out by Yoo Capital both in consultation and negotiation with other landowners within the Growth Area, and in progressing the vision and masterplanning work. In ensuring Council priorities are delivered for this area, such as good quality urban design and effective access, linkages and permeability, and a comprehensive approach to public realm and infrastructure, it has become clear that the Council is likely to need to continue its enabling role to ensure comprehensive delivery, building on the previous work that it started in 2019 working with the Greater London Authority (GLA). A paper seeking governance approval for the workstream has been timetabled for 19th April 2024, under the powers delegated by Cabinet as part of the approval of the Regeneration Strategy.

6.26. The appellant argues that there is no realistic prospect of securing the comprehensive redevelopment of the entire Growth Area through a single application, that a series of separate applications made by different landowners is more likely and that in any event the appeal scheme would act as a catalyst for regeneration of the area. The Framework states (3.5.2) that the Council expects a single planning application to come forward for the Regis Road Growth Area. Following discussions with landowners about preparing the masterplan and entering into planning performance agreements, the Council now accepts the principle that more than one planning application may be required in order to encompass the whole of the Growth Area. However, individual planning applications will need to follow the preparation of a masterplan for the wider site

and be consistent with the masterplan's comprehensive and coordinated approach to redevelopment of the Growth Area. Individual planning applications are likely to need to encompass plots across more than one ownership in order to demonstrate optimal development outcomes consistent with the masterplan and to avoid the shortcomings of a piecemeal approach.

6.27. The Council expects the masterplan to be underpinned by the principles of the Planning Framework, to take a strategic approach to phasing, infrastructure and land use and to be prepared through engagement with local landowners, stakeholders and communities. All developments, whether acting as catalysts or as reactive proposals, are expected to be consistent with a masterplan which has been prepared in this way. If the appeal were to be allowed on the grounds that a piecemeal approach is justified, it would potentially undermine attempts to engage other landowners in the preparation of the masterplan and would harm the Framework's expectation of a masterplan-led strategic approach to developing a fair and equitable framework for apportioning contributions across sites towards Growth Area-wide social and physical infrastructure.

Reason for Refusal 2 – design

"The proposed development, by reason of its height, mass, footprint and detailed design, would fail to make the best use of its site or respect the design aspirations for the Regis Road Growth Borough of Camden Local Plan 2017 and policies D3 (Design Principles) and SP2a (KTPDA – General Development Criteria) of the Kentish Town Neighbourhood Plan 2016."

6.28. The Council will demonstrate that the appeal proposal, by virtue of its height, mass, footprint and detailed design, would be detrimental to the streetscene, and the character and appearance of the wider area and fail to make best use of the site. The evidence will outline why those policies listed within this reason for refusal are applicable to the appeal assessment, along with relevant London Plan policies and guidance (referenced in section 4).

6.29. The NPPF was updated in 2023 to place greater emphasis on beauty and place-making. It states that "The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve." (para 96). Camden's policy D1 states, "The Council will

resist development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.” CPG Design seeks “excellence in design” in Camden. Policies at all levels require buildings, streets and spaces to respond in a manner which promotes inclusive and sustainable development and contributes positively to the relationship between urban and natural environments and the general character of the location.

6.30. The Council will demonstrate that the Appeal scheme proposals comprise poor quality design for the following reasons:

- Architectural character and appearance – in line with the NPPF and London Plan, the Council expects all development within the borough to be of excellent design quality, including industrial buildings. It will show that the appeal scheme does not meet design standards for a contemporary building of this use, and proposes poor quality materials and detailing contrary to key design policies.
- User experience and relationship to current context – the Council will show that through its ground floor design, boundary treatments and entrance arrangements, the appeal scheme presents a hostile street environment, contrary to placemaking policies and best practice around the design of safe public realm.
- Lack of acknowledgment of future context – the Council will show that the architectural expression of the appeal scheme does not accord with the Kentish Town Planning Framework guidance or London Plan policies seeking innovative building typologies as part of a mixed use neighbourhood.

Reason for Refusal 3 – failure to justify demolition

The proposed development, in the absence of a condition and feasibility study and options appraisal, has failed to demonstrate that the proposed substantial demolition is justified contrary to policy CC1 (Climate change mitigation) of the London Borough of Camden Local Plan 2017 and policies SI2 (Minimising greenhouse gas emissions) and SI7 (Reducing waste and supporting the circular economy) of the London Plan 2021.

6.31. Policy SI7 of the London Plan highlights the importance of retaining the value of existing buildings with the least preferable development option of recycling through demolition. Parts e and f of policy CC1 (Climate change mitigation) of the Camden Local Plan requires all proposals that involve substantial demolition to demonstrate that it is not possible to retain and improve the existing building and expect all developments to optimise resource efficiency. Where substantial demolition is proposed, CPG Energy Efficiency requires the submission of a condition and feasibility study, and options appraisal which should assess the condition of the existing building and explore future potential of the site. It provides a table of information at paragraph 9.4 which sets out a condition and feasibility study should include.

6.32. The Appellant has submitted an addendum (Appendix F - 'Circular Economy Statement Addendum') as part of the appeal that signposts the relevant information within the planning application submission as well as providing additional information that responds to the table at paragraph 9.4 of the CPG.

6.33. A condition survey report was provided as Appendix IV to the Circular Economy Statement which found the roof, glazing and servicing to be either life expired or reaching life expired. The elevations of masonry construction were found to be in a generally good to fair condition. An appendix titled 'Circular economy design principles' was provided at Appendix II of the Circular Economy Statement. This document demonstrates that many components of the building including roof, glazing and rear elevation would need to be demolished were the building to be extended upwards and to the rear. The document looks at 3 options including:

- Retaining the roof, ground floor slab and front and side walls
- Retaining the ground floor slab and front and side walls
- Retaining other site elements (substation, vehicular access, boundary walls and fences)

6.34. The first two options involving retention of significant building components were ruled out for a combination of reasons including due to the condition of the roof which requires a wholesale replacement (option 1); the additional height required due to a more restricted footprint (option 1); technical complexity of retaining in-

situ the elevations including additional underpinning and steel supports required (both options).

6.35. The Council considers that the Circular Economy Statement addendum, together with the relevant documents submitted with the planning application, and assessed in the round with the Whole-life carbon assessment, have successfully demonstrated that demolition is justified in this instance. It is noted that a suggested condition requires at least 95% of demolition waste to be diverted from landfill and compliance with the Institute for Civil Engineer's Demolition Protocol to either reuse materials on-site or salvage appropriate materials to enable their reuse off-site.

6.36. Reason for Refusal 3 is therefore no longer contested by the Council and shall not be carried forward to the forthcoming Inquiry.

Section 106 Reasons for Refusal (Nos.4-10)

6.37. The following reasons for refusal are based on the failure of the Appellant to enter into a legal agreement. As stated within the informative of the decision notice, these matters could be overcome by entering into an appropriate legal agreement.

6.38. The Council will provide evidence as part of the appeal to demonstrate that the requirements are justified against relevant planning policy and meet any relevant tests. This includes the tests laid out in the Community Infrastructure Levy (CIL) Regulations 2010, in particular Regulation 122(2), as well as national guidance and the National Planning Policy Framework.

RfR 4 – Energy and sustainability plans and BREEAM pre-assessment

The proposed development, in the absence of a legal agreement to secure the details set out on the sustainability and energy plans and BREEAM pre-assessment, would be likely to contribute to climate change, contrary to policies CC1 (Climate change mitigation), CC2 (Adapting to climate change), CC3 (Water and flooding), CC4 (Air quality), C1 (Health and wellbeing) and DM1 (Delivery and monitoring of the London Borough of the London Borough of Camden Local Plan 2017 and policy

SP2a (KTPDA – General Development Criteria) of the Kentish Town Neighbourhood Plan 2016.

6.39. Energy and Sustainability plans including seek to ensure that developments to make the fullest contribution to tackling and mitigating against climate change in accordance with policies CC1 and CC2 of the Camden Local Plan. It is necessary to secure this as a legal obligation to ensure that the works are undertaken, installed and maintained in perpetuity as agreed. As the statements would remain in force in perpetuity, areas of change may need to be agreed in the future and securing such measures under a legal agreement would allow for this flexibility. Furthermore, BREEAM is assessed in stages. The pre-assessment stage provides an indicative score at planning stage which is then carried forward to a design stage assessment and post-construction assessment with submissions to the Council required during the process.

6.40. The Appellant has indicated they are willing to enter into a Section 106 agreement with regards to this matter and at the time of writing, a draft agreement has been provided to the Appellant's solicitor.

CIL Compliance

6.41. It is considered that securing Energy and Sustainability Plans to include BREEAM pre-assessment would comply with the CIL Regulations as the necessary measures to be adopted in the plans help to ensure that the development is acceptable in planning terms as identified in the local plan and is directly related to the effects of the development.

RfR 5 – Car-free development

The proposed development, in the absence of a legal agreement to secure a car-free development, would be likely to contribute unacceptably to parking stress, environmental impacts and congestion in the surrounding area, contrary to policies T1 (Prioritising walking, cycling and public transport), T2 (Parking and car-free development), CC1 (Climate change mitigation) and DM1 (Delivery and monitoring) of

the London Borough of Camden Local Plan 2017 and policy SP2a (KTPDA – General Development Criteria) of the Kentish Town Neighbourhood Plan 2016

6.42. Policy T2 of the Local Plan requires all developments in the Borough to be car-free. This means no car parking spaces should be provided within the site (other than essential spaces for operational purposes) and that occupiers and employees are not issued with on-street parking permits. The Council requires this obligation to facilitate sustainability and to help promote alternative, more sustainable methods of transport.

6.43. A planning obligation is considered the most appropriate mechanism for restricting access to parking permits as it relates to matters outside of the development site and the level of control is considered to go beyond the remit of a planning condition. Further, use of a Section 106 obligation, which is registered as a land charge, is a much clearer mechanism than the use of a condition to signal to potential future purchasers of the property that it is designated as car free and that they will not be able to obtain a parking permit. This part of the legal obligation stays on the local search in perpetuity so that any future purchaser of the property is informed that residents are not eligible for parking permits.

6.44. Use of a legal agreement, which is registered as a land charge, is a much clearer mechanism than the use of a condition to signal to potential future purchasers of the property that it is designated as car free and that they will not be able to obtain a parking permit. This part of the legal agreement stays on the local search in perpetuity so that any future purchaser of the property is informed that residents are not eligible for parking permits.

6.45. The Appellant has indicated they are willing to enter into a Section 106 agreement with regards to this matter and at the time of writing, a draft agreement has been provided to the Appellant's solicitor.

CIL Compliance

6.46. The Council considers that securing the car free provisions are necessary, directly related, and fairly and reasonably related in scale and kind to the development and can only be dealt by way of planning obligation.

RfR 6 – Construction Management Plan and associated contributions

The proposed development, in the absence of a legal agreement to secure a Construction Management Plan, construction impact bond and a financial contribution for construction management plan monitoring, would be likely to give rise to conflicts with other road users and be detrimental to the amenities of the area generally, contrary to policies G1 (Delivery and location of growth), A1 (Managing the impact of development), T3 (Transport Infrastructure), T4 (Sustainable movement of goods and materials), DM1 (Delivery and monitoring), A4 (Noise and Vibration) and CC4 (Air quality) of the London Borough of Camden Local Plan 2017.

6.47. Local Plan policy A1 states that Construction Management Plans (CMPs) should be secured to demonstrate how developments would minimise impacts from the movement of goods and materials during the construction process (including any demolition works). The appeal proposal would involve significant works due to the demolition of all the buildings on site and the construction of large buildings. A CMP would be required in order to address the issues around how the demolition and construction work would be carried out and how this work would be serviced (e.g. delivery of materials, set down and collection of skips), with the objective of minimising traffic disruption and avoiding dangerous situations for pedestrians and other road users. The failure to secure a CMP by S106 would give rise to conflicts with other road users and be detrimental to the amenities of the area generally as matters occurring outside of the redline boundary of the site could not be secured via any other means (i.e. condition). The associated fees are set out in the delegated officer report.

6.48. The Appellant has indicated they are willing to enter into a Section 106 agreement with regards to this matter and at the time of writing, a draft agreement has been provided to the Appellant's solicitor.

CIL Compliance

6.49. The requirement for a Construction Management Plan in the form of a S106 obligation complies with the CIL Regulations as it ensures that the development is acceptable in planning terms to necessarily mitigate against the impacts of the construction of the development as identified under the Development Plan for

developments of the nature proposed. It will ensure that the effects of construction are managed in an appropriate manner.

RfR 7 – Carbon offset contribution

The proposed development, in the absence of a legal agreement securing a carbon off-set contribution, would fail to meet the requirement for zero carbon, contrary to policies CC1 (Climate change mitigation), CC2 (Adapting to climate change) and DM1 (Delivery and monitoring) of the London Borough of the London Borough of Camden Local Plan 2017.

6.50. Policy S12 of the London Plan and CPG Energy Efficiency and adaptation requires all major applications to achieve net Zero Carbon. Once energy efficiency measures and renewable energy is considered, a cumulative saving of 96.3% is achieved. The scheme would be subject to a carbon offset payment on the predicted residual emissions of 0.5 tonnes. This is then multiplied by £95 (offset cost per tonne) over 30 years resulting in an offset payment of £1,425.

CIL Compliance

6.51. It is considered that the Carbon Offset Contribution complies with the CIL Regulations as the necessary measures to be adopted in the plan help to ensure that the development is acceptable in planning terms as identified in the local plan and is directly related to the effects of the development.

RfR 8 – Local Level Travel Plan

The proposed development, in the absence of a legal agreement for a Local Level Travel Plan and financial contributions for the associated monitoring, would be likely to give rise to conflicts with other road users and be detrimental to the amenities of the area generally, contrary to policies G1 (Delivery and location of growth), A1 (Managing the impact of development), T3 (Transport Infrastructure), DM1 (Delivery and monitoring), A4 (Noise and Vibration) and CC4 (Air quality) of the London Borough of Camden Local Plan 2017.

6.52. Policy A1 of the Camden Local Plan and CPG Transport requires planning permission that will have an impact on the public highway to instigate mitigation

measures such as Travel Plans. In accordance with CPG Transport, a Local Level Travel Plan (workplace) is required for any development with more than 20 staff but less than 2,500sqm floorspace. Whilst the floorspace is likely greater than 2,500sqm, owing to the relatively small number of people working at the site, a Local Level Travel Plan is considered to be sufficient.

6.53. The Travel Plan would encourage staff and office workers to make walking, cycling and travel by public transport the natural choice for day-to-day trips. The aims of a Travel Plan are to promote the use of sustainable modes of transport through a range of soft measures, as well as highlighting the benefits of travelling by modes other than the private car.. The travel plan would need to be secured by a Section 106 planning obligation if planning permission is granted as it would seek to manage elements that are outside of the redline boundary of the site. A financial contribution of £5,674 would need to be secured to cover the costs of monitoring and reviewing the travel plan over a 5-year period. This would be secured by a Section 106 planning obligation if planning permission is granted.

6.54. The Appellant has indicated they are willing to enter into a Section 106 agreement with regards to this matter and at the time of writing, a draft agreement has been provided to the Appellant's solicitor.

CIL Compliance

6.55. The requirement for a Travel Plan in the form of a S106 obligation complies with the CIL Regulations as it ensures that the development is acceptable in planning terms to necessarily mitigate against the impacts of the travel to and from the development as identified under the Development Plan for the occupiers proposed. It will ensure that the effects of development are managed in an appropriate manner.

RfR 9 – Local employment and training package

The proposed development, in the absence of a legal agreement securing a local employment and training package including an appropriate financial contribution, would be likely to lead to the exacerbation of local skill shortages and lack of training opportunities and would fail to contribute to the regeneration of the area, contrary to

policies G1 (Delivery and location of growth), E1 (Economic development) and DM1 (Delivery and monitoring) of the London Borough of Camden Local Plan 2017.

6.56. Policy E1 (part c) supports employment and training schemes for Camden residents. As per CPG 'Developer contributions', a range of training and employment benefits would need to be secured in order to provide opportunities during and after the construction phase for local residents and businesses. The package of recruitment, apprenticeship and procurement measures would need to be secured by S106 legal agreement.

6.57. The Appellant has indicated they are willing to enter into a Section 106 agreement with regards to this matter and at the time of writing, a draft agreement has been provided to the Appellant's solicitor.

CIL Compliance

6.58. Securing employment and training benefits from the development is necessary to ensure that the development supports employment and training schemes for Camden residents. It is directly related to this development and is fair and reasonable.

RfR 10 - Affordable workspace

The proposed development, in the absence of a legal agreement securing affordable workspace for SMEs, would fail to provide a range of premises for businesses to support Camden's economy, contrary to policies G1 (Delivery and location of growth), E1 (Economic development), E2 (Employment premises and sites) and DM1 (Delivery and monitoring) of the London Borough of Camden Local Plan 2017.

6.59. Camden has one of the most successful economies in the country (Local Plan 5.1) and the Council wants to ensure residents benefit from the employment opportunities created by the successful economy. Part of the way to do this is to secure affordable workspace for small and medium-sized enterprises which is managed by businesses, higher education institutions and the third sector.

6.60. Policy E1 sets out that the Council will secure a successful and inclusive economy and ensuring this benefits local residents and businesses by supporting businesses of all sizes and particularly small and medium-sized enterprises.

Policy E2 (part f) states that the Council will consider higher intensity redevelopment of sites provided that the development includes floorspace suitable for SMEs, such as managed affordable workspace. CPG Employment sites and business premises sets out (paragraph 37) that affordable workspace would be considered 50% of comparable market rates.

6.61. The Appellant has indicated they are willing to enter into a Section 106 agreement with regards to this matter and at the time of writing, a draft agreement has been provided to the Appellant's solicitor.

CIL Compliance

6.62. Securing affordable workspace within the development is necessary to ensure the workspace is let out at an affordable rate as stated in the application and appeal documents. It is directly related to this development and is fair and reasonable.

7. EVIDENCE

7.1. The Council will be supporting its case with evidence from the following witnesses:

- Kristina Smith – Deputy Team Leader, Development Management
- Gavin Sexton – Area Manager, Regeneration
- Tom Holbrook – Director, 5th Studio

7.2. The Council will make reference to the following documents as part of its evidence:

- National Design Guide (January 2021)
- Building Heights Study (January 2024)
- Economic Needs Assessment (December 2023)
- Cabinet Report (22 November 2022)
- Greater London Authority Report DD2435
- Yoo Capital presentation to Kentish Town Neighbourhood Forum 29 Jan 2024
- Yoo Capital public engagement boards November 2023
- Draft New Camden Local Plan Consultation Statement (January 2023)
- Draft New Camden Local Plan Site Selection Topic Paper (January 2024)

8. PUBLIC BENEFITS

8.1. The Appellant's statement of case sets out a list of 9 bullet points at paragraph 5.3, which the Appellant asserts are 'significant planning benefits'. Each is listed below with the Council's summary response following:

- *“The proposed uses will provide flexible accommodation to support local residents and businesses with storage needs, particularly start-ups and small-to-medium enterprises (SMEs). This space will help to meet growing domestic and business needs, as well as generating further employment at the Appeal Site.”*
 - The Council disputes that the proposal would provide flexible accommodation as no supporting information has been provided to substantiate this claim. CPG Employment sites and businesses refers to flexible space providing a range of sizes from open hot-desking provision and cellular offices as well as 'flexible, easy in-easy out leases and membership arrangements. Furthermore, no evidence has been provided by the Appellant that demonstrates there are 'growing domestic and business needs'. Although referencing the B8 use class as a whole, LB Camden's Economic Needs Assessment (2023) shows that trends in demand indicate vacancy whilst availability rates have fluctuated before significantly increasing in recent times (since 2020). In the absence of any evidence, the Council disputes the Appellant's claim that there are growing business and domestic needs. Given the prevalence of self-storage facilities in the local area, it is expected that local residents and businesses could find storage solutions at an alternative location in the vicinity. The Council disputes the claim that further employment would be generated at the appeal site. This suggests direct employment which is stated as only 3-4 employees. The lawful use could accommodate significantly more direct employees.
- *“The Appeal Scheme involves a 767m² (GIA) (excluding demountable mezzanines) net increase of overall floorspace. When the mezzanines are installed after practical completion of the facility, the net increase of overall floorspace will be 6,243m² (GIA). The vast majority of the proposed floorspace is 'industrial' floorspace and all of it is 'employment' floorspace. This means the Appeal Scheme will deliver significant intensification in floorspace of the priority use (industrial) sought within the Kentish Town Growth Area ('Growth Area'),*

whilst generating a significant net increase of jobs primarily associated with start-up businesses and SMEs and securing the most efficient use of a small site located in one of six areas expected to deliver significant growth and meet Camden's strategic needs/objectives."

- The Council will demonstrate that the proposal, whilst intensifying industrial floorspace, would not generate a significant net increase of jobs and when compared to the existing lawful use the proposal represents a loss in terms of numbers of people directly employed. As such, job generation should not be promoted as a benefit of the scheme. Whilst space for startups and SMEs is a benefit in principle, the spaces will only be attractive to such businesses if the space is affordable, comfortable and the lease terms are attractive. Addressing each in turn, there are no assurances on the affordability of the majority of the units proposed; the offices are likely to be prone to overheating (owing to a fully glazed south facing elevation) and no information has been provided on the lease terms. Also, the office space comprises mainly single (with some double) occupancy cellular spaces which does not provide the flexibility or 'co-working friendly' layout typically attractive to SMEs.
- *"Based on research, Big Yellow anticipates that a self-storage facility of the proposed size, excluding the demountable mezzanines, with the flexible office floorspace would support approximately 145-205 jobs, in addition to anticipated direct employment, many of which would be available to local people. This figure rises to approximately 340-480 jobs when the demountable mezzanines are installed after practical completion, in addition to anticipated direct employment of approximately 3-4 people."*
 - The Council disputes the Appellant's approach to calculating employment benefits. The figures are based on in-house survey data and relate to supporting existing jobs rather than creating new jobs. The Council will argue that only direct employment, which in this case is only 3-4 people and significantly less than the existing lawful use, should be taken into account when considering the public benefit of a scheme.

- *“Demolition of the existing building, which is tired and outdated, and replaced with a building of high-quality design”*
 - The Council will demonstrate, as part of its case relating to Reasons for Refusal 1 and 2, that the proposed building comprises poor quality design owing to its architectural character and appearance, user experience and lack of acknowledgement of a future context. Owing to its height, mass and detailed design it would have a more detrimental impact on the streetscene and the character and appearance of the wider area compared to the current building.
- *“The introduction of soft landscaping along the Regis Road frontage will significantly enhance the amenity value and bring some verdancy to the area.”*
 - There is already an existing area of soft landscaping along the Regis Road frontage which has very limited amenity value. Its replacement would not change this situation. The Council therefore attaches no public benefit.
- *“The Appeal Scheme will generate a significant reduction in vehicle trips compared to the existing lawful use of the Appeal Site, which will have a positive impact on the local highway network.”*
 - The Council attaches little or no weight to this benefit. Fewer vehicle trips can be beneficial but the proposed use is still heavily reliant on the use of private vehicles with little scope for improvement (i.e. a shift to more sustainable active transport modes) due to the nature of the use. It is noted that the ‘as proposed’ self-storage type of B8 use shows a reduction in vehicle trips, but were the site to later become a different B8 use (e.g. last-mile delivery), then vehicle trips could increase compared to the existing lawful use.
- *“The Appeal Scheme will be highly sustainable incorporating a range of sustainability measures, targeting a high ‘Excellent’ BREEAM rating, aligns with the principles of the circular economy and the upfront embedded carbon emissions is predicted to be significantly lower than the LETI 2030 best practice target for non-domestic buildings.”*

- There is benefit in the construction of energy efficient and sustainable buildings; however, this is a single building and the performance is largely derived from the very low energy requirements associated with its function as a self-storage unit. As such, little weight can be afforded to this.
- *“The incorporation of a series of measures to deliver biodiversity enhancements for the Appeal Site”*
 - Whilst substantial improvements to biodiversity can be recognised as a public benefit, the measures proposed as part of the appeal scheme are small scale and largely mitigate the existing biodiversity habitats on site and so can be given little or no weight.

9. CONCLUSION AND PLANNING BALANCE

9.1. The appeal proposal conflicts with a number of national, regional and local policies (and guidance).

9.2. The merits of the appeal proposal are recognised and principally include the intensification of industrial floorspace in an area where this use is supported. It also includes the provision of a small amount of ‘affordable’ workspace (albeit in a form that could not provide a permanent address for a business). However, the benefits would not outweigh the harm that the proposal would cause to the prospect of securing comprehensive development for the Regis Road Growth Area and the benefits a comprehensive approach offers. A piecemeal approach is not capable of delivering a substantial uplift in homes, jobs and industrial floorspace all supported by public open space and comprehensively planned infrastructure. Furthermore, the design of the scheme is of poor quality.

9.3. Regard has been given to the development plan, as required under Section 38(6) of the Planning and Compulsory Purchase Act (PCPA) 2004, and other material considerations. The appeal proposal does not accord with the development plan (for the reasons addressed within the Council’s case) and there are no other material planning considerations sufficient to indicate that the appeal should be allowed.

9.4. The Inspector will respectfully be invited to dismiss the appeal against the refusal of planning permission 2023/0093/P.

10. APPENDICES

Appendix 1 – Delegated Report

Appendix 2 – Decision Notice

Appendix 3 - Regis Road Growth Area site plan with plot references

Delegated Report		Analysis sheet		Expiry Date:	10/04/2023
		N/A		Consultation Expiry Date:	06/03/2023
Officer			Application Number(s)		
Kristina Smith			2023/0093/P		
Application Address			Drawing Numbers		
Alpha House Regis Road London NW5 3EW			<i>Refer to Draft Decision Notice</i>		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
Demolition of the existing building and the construction of a self-storage facility (Use Class B8) and office space (Use Class E(g)(i)), together with vehicle and cycle parking and landscaping					
Recommendation(s):		Refuse planning permission			
Application Type:		Full Planning Permission			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice			
Informatives:				
Consultations				
Adjoining Occupiers:	No. of responses	00	No. of objections	00
Summary of consultation responses:	Two site notices were displayed from 10/02/2023 (expired 06/03/2023) No adjoining occupiers responded. <u>Councillor objections</u> Cllr Headlam-Wells and Cllr Apak submitted the following objection, 'The proposed development is not in keeping with policy G1 of the Camden Local Plan 2017, or the Kentish Town Framework. Development in this area needs to be as part of a comprehensive masterplan, and not as proposed, which is somewhat haphazard and disjointed.'			
Local Groups response:	Kentish Town Neighbourhood Forum object to the application and their response is summarised as follows: <ul style="list-style-type: none">• KTNF in accordance with the Council is of the firm opinion that any interim building will break up the cohesive development of the site.• The scale and shape and its position towards the centre of the development would have a significant impact on the surrounding character of the site.• The 'blockiness' of the scheme would develop precedence for large-scale unarticulated massing on the site.• The intensive scale of the development contravenes national, local and London wide policies which state that new developments should enhance biodiversity and work towards zero carbon. These include the government's '10-point plan for a green industrial revolution', the Environment Act 2021 and the Mayor of London's urban greening commitments.• No demonstration (as required by policy CC1) that the existing building cannot be retained, improved and reused in a way that resources are optimised efficiently.• The new building would be constructed very close to its neighbour on the north side.• The applicant states that a big part would be built under Permitted Development Rights, thus withholding CIL from the local community• Concerns about the validity of the submitted documentation since the developer has made a blatantly incorrect statement about its consultation process. No local groups, local councillors or neighbours were consulted.• KTNF are sceptical about then apparent 'significant reduction' in vehicle trips given the increase in industrial space/ work units to be provided and the focus on delivery and storage of goods.• Big Yellow's assessment that 11 parking spaces would be sufficient given the vast amount of storage space appears unrealistic based on case studies provided.			

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| | <ul style="list-style-type: none">• The lower traffic impact appears also to be in contradiction with the applicant's claims that 340-480 jobs would be created. Ambiguous whether these jobs would be based in Camden. <p>Kentish Town Road Action (KTRA) object to the application and their response is summarised as follows:</p> <ul style="list-style-type: none">• KTRA support the development of Regis Road in principle but object to the proposed piecemeal development of the site and wishes to see a comprehensive plan for the area in accord with policy G1 of the Camden Local Plan 2017, the Kentish Town Framework, and policy SP2 of the Kentish Town Neighbourhood Plan, adopted 2016.• Dispute assertions made about consultation – no local stakeholders have received a letter.• Request this application to be refused in its entirety |
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Site Description

The application site is part of Regis Road Growth Area and lies on the northern side of Regis Road. It has a central position in the Growth Area. The site is covered by Kentish Town Neighbourhood Area and Forum, defined within the Site Allocation Plan Policies (SALP), and Kentish Town Planning Framework 2020.

The site includes a two-storey warehouse and associated car park, currently occupied by The Purpose Group on a short-term lease. It is used as a combination of warehouse and office space.

The site is not within a conservation area.

Relevant History

PEX0200392 - Insertion of a mezzanine floor (area approx. 1340 sq metres) in connection with the use of the premises as an office and distribution plant (Use Classes B1(a)/B8) - **Granted 09/12/2002**

PEX0100963 - Change of use from Class B1 (Business) to Class B8 (Storage and Distribution) - **Granted 22/04/2002**

Relevant policies

National Planning Policy Framework 2021

London Plan 2021

Camden Local Plan 2017

G1 Delivery and location of growth
 A1 Managing the impact of development
 A3 Biodiversity
 D1 Design
 E1 Economic development
 E2 Employment premises and sites
 T1 Prioritising walking, cycling and public transport
 T2 Parking and car-free development
 T4 Sustainable movement of goods and materials
 CC1 Climate change mitigation
 CC2 Adapting to climate change
 CC3 Water and flooding
 CC4 Air quality
 CC5 Waste
 DM1 Delivery and monitoring

Kentish Town Neighbourhood Plan (2018)

D1 View from Parliament Hill
 D2 Railways Lands
 D3 Design principles
 SP2 Kentish Town Potential Development Area
 SP2a KTPDA General development criteria

Kentish Town Planning Framework (2020)

Camden Planning Guidance

CPG Design 2021
 CPG Amenity 2021
 CPG Transport 2021

CPG Air Quality 2021
 CPG Employment sites and business premises
 CPG Energy efficiency and adaptation 2021
 CPG Biodiversity 2018
 CPG Developer's contributions 2019

Draft Site Allocations Local Plan document (2019)

Assessment

1 Proposal

- 1.1 The application seeks planning permission for the demolition of the existing single storey building and erection of a five storey building to be used as a self-storage facility (Use Class B8) and office space (Use Class E(g)(i)), together with car and cycle parking and landscaping.
- 1.2 The application seeks consent for the construction of the storage building and the permanent floors (ground and second) only which would result in a floorspace uplift of 767 sqm. It is then the intention to insert three demountable 'mezzanine' levels after practical completion via permitted development resulting in a net increase in floorspace of 6,243 sqm.
- 1.3 Officers are of the view that the building in its entirety, including the demountable floors (and the resultant floorspace), should be applied for from the outset. The applicant refers to the demountable floors as mezzanine levels; however, they do not meet the definition of a mezzanine level which is typically a partial floor open to the floor below. They are often used to provide additional areas of floorspace within large warehouse buildings on an ad hoc basis. By contrast, in the proposal they appear as full floors that meet the walls of the building the entire way round. Furthermore, they are shown on the planning drawings (section drawings as well as a floor plan being provided for each demountable floor) which clearly reflects the capacity and intentions of the development.
- 1.4 The amount of floorspace being applied for has implications for the assessment of the application in terms of policy requirements, the nature and level of planning obligations that would be secured as well as for CIL. Other than to circumvent these obligations, there is no apparent reason why the applicant would be applying for the structure and 'permanent floors' only. Where the floorspace has implications for the assessment of the application this is flagged under the relevant sections of the report.

2 Assessment

2.1 The main considerations in the determination of the application are:

- Principle of development
- Land use
- Design
- Amenity of neighbouring occupiers
- Energy and Sustainability
- Air Quality
- Water and Drainage
- Biodiversity
- Inclusive economy
- Transport considerations

3 Principle of development

Policy context

- 3.1 In line with policy G1 of the Camden Local Plan 2017, the Council will deliver growth by securing high quality development and promoting the most efficient use of land and buildings in Camden. There are certain parts of the borough, 'growth areas', identified for their growth potential and one of them is Regis Road. Supporting paragraph 2.8 emphasises the need to deliver good design and high density, particularly in growth areas such as Regis Road. The area is currently characterised by low density industrial and warehouse uses with poor permeability and little integration with the adjacent town centre of Kentish Town. The area provides a significant opportunity to deliver growth and assist Camden in achieving its identified need to provide 16,800 additional homes, 695,000sqm of office floor space and c.30,000sqm of retail floor space by 2031. In order for this to happen, transformative development is needed. To ensure maximum benefits are realised, the Council seeks comprehensive redevelopment delivered through a masterplan-led approach.
- 3.2 Policy SP2: Kentish Town Potential Development Area (KTPDA) of the Kentish Town Neighbourhood Plan (2018) comprises three sites – Regis Road, Murphy Site and Highgate Road Section. It recognises the benefits of a comprehensive and co-ordinated approach to the redevelopment of the KTPDA to achieve a mixed use development whilst retaining (and where possible increasing) the level of industrial floorspace and employment opportunities including the growth of small and start-up businesses. It also recognises the need for housing in Kentish Town and the benefits that a mixed-use development could bring to the Neighbourhood Area and London as a whole. With specific regard to the Regis Road development area under heading 'KTPDA – Regis Road Site' the Plan refers to the site being underused with a landscape of low-rise buildings surrounded by car parks, extensive areas of hard standing before going on to say that intensification of the site through additional mixed use development (to include residential, industry, offices, start-ups, and other uses) is supported by the local community subject to consideration against the general criteria and specific criteria set out in Policy SP2a.
- 3.3 Policy SP2a refers to 'General Development Criteria' for development within the Regis Road site. The criteria are wide ranging including principles on land uses, affordability, routes and connections, views, social infrastructure, public spaces, parking and environmental improvements. It clearly treats the site as an area that will be subject to a masterplan as the criteria do not easily relate to a scenario where individual land parcels come forward for development at different times and under different ownerships.
- 3.4 The draft Site Allocations Local Plan document, with respect to policy KT2 (Regis Road Growth Area) states that the area is allocated for comprehensive employment-led redevelopment and '*applications submitted in advance of the comprehensive redevelopment of the area that would prejudice the delivery of a comprehensive scheme or the aspirations for the area will not be permitted*'. Though not yet adopted policy, the draft Site Allocations Local Plan document is nevertheless a material consideration.
- 3.5 To support a strategic and coordinated approach to redevelopment, the Kentish Town Framework was adopted in July 2020. Whilst not policy, it sets out how policy should be applied (as envisaged by KTNP Policy SP2) and is a material consideration to which the Council affords significant weight, given that it is recently adopted and is focused on the particular growth area in which the application site is situated.
- 3.6 The document sets out a vision to transform an underutilised, low density industrial area into an innovative new mixed-use neighbourhood with the essential infrastructure to support new and existing communities. It lists eight related development objectives including 2000 new homes, over 3000 new jobs, new pedestrian and cycle friendly connections and attractive safe and green open spaces and public realm that is open and accessible to all with more detail provided in the key principles for Regis Road. The 'Delivery' section of the Framework captures why a comprehensive approach is crucial to deliver these, '*Comprehensive redevelopment creates the opportunity to*

increase the density and efficiency of the land use, to appropriate levels for a well-connected inner London area. A comprehensive approach is required to achieve the optimal outcomes in terms of the quantum and quality of development. It will enable the provision of new homes and jobs, new routes and connections, high quality open space, community facilities and public realm and the delivery of vital infrastructure to support the anticipated scale of development. It also offers the opportunity to create an environmentally sustainable neighbourhood. The Council requires a comprehensive and co-ordinated approach to development in the framework area with appropriate phasing.... Plot-by-plot or piecemeal planning applications will not be acceptable and will be resisted.'

3.7 The KTPF recognises that creating the conditions for comprehensive development will take time due to the scale and complexity and therefore includes a section on interim development. It reads, *'Any development that occurs before comprehensive development comes forward should not prejudice the future goals for the area. Therefore, piecemeal redevelopment proposals for individual sites and schemes which could prejudice the comprehensive strategic approach, will be resisted'*. As such, the only development that would be supported is small-scale development and refurbishment works. The Framework provides a number of considerations that it will take into account when assessing applications relating to interim development, which are as follows:

- Whether the works are absolutely necessary for the continued functioning of the site as an industry area in the interim of comprehensive development.
- Whether the scale and nature of the proposal and whether this is commensurate to interim development.
- Whether the proposals are linked to an existing or identified commercial occupier.
- Whether the site has been marketed for occupation in its current condition.
- Whether the property is being offered with short-term/flexible lease arrangements.
- Whether the proposals could prejudice the physical delivery of a comprehensive scheme on the site. For example, by blocking potential access, providing inactive or unsuitable street frontages, being of a nature that could be incompatible in a mixed-use environment.
- Whether the proposals could prejudice the viability of a comprehensive scheme. For example, by making significant investment into buildings that are likely to be redeveloped.

Assessment

3.8 The proposal fails to meet the aforementioned policies, fundamentally because it represents piecemeal development rather than coming forward as part of a comprehensive masterplan-led approach. For reasons outlined by the policy, a piecemeal approach does not allow for the quantum and quality of development the Council is seeking. The applicant points to the fact that there is no comprehensive masterplan for the Growth Area that exists and that landowners relating to a significant area of the Growth Area have chosen not to collaborate in the development of a masterplan and it is this which has led them to pursue piecemeal development. Recently, however, there has been significant progress in creating the conditions for comprehensive masterplan-led development to come forward. A Regeneration Strategy was approved by Cabinet in November 2022. The strategy is an attempt to kickstart the delivery of regeneration based on the use of Council's land assets, including potential land disposal and potential use of compulsory purchase and land appropriation powers. A subsequent decision was made on 10th March 2023 to dispose of the Camden Car Pound and Reuse Recycling Centre site on Regis Road and Holmes Road Depot sites to enable the implementation of the Regeneration Strategy. On 5th April the contract for the sale of the two sites to developer, Yoo Capital, was exchanged. Yoo Capital is already in contact with landowners about future plans for the area and early pre-application discussions with the Local Planning Authority have commenced.

3.9 In terms of the criteria for interim development, the proposals do not meet this either as they represent a complete redevelopment of the site which is not necessary for the site to continue operating in the interim. This will inevitably involve significant financial investment by Big Yellow Storage, the site owner and intended occupier. No marketing evidence has been provided in

relation to whether there is interest in the site in its current condition. In terms of lease arrangements, the previous occupier has recently vacated the site and Big Yellow Storage have acquired it with a view to being the primary occupier. The proposal would certainly prejudice the delivery of a comprehensive scheme on site given the scale of the proposed building located on a central plot in the masterplan area. Owing to the significant investment the proposal represents, the applicant is highly unlikely to be willing to redevelop the site again once a masterplan is in place, it would also be extremely resource inefficient, and a newly developed site would therefore become an obstacle to a comprehensive scheme coming forward.

3.10 It is noted that the Kentish Town Framework acknowledges the role that meanwhile uses can have in maintaining the activity of an area by avoiding buildings becoming vacant. However, there is nothing in the submission to suggest the development would be temporary and the proposals represent significant investment in a new building which does not appear to have been designed with ease of disassembly (and potential reassembly) in mind.

4 Land use

4.1 The Kentish Planning Town Framework states that new development in the Regis Road area will be expected to:

- Re-provide industrial provision in an efficient and sustainable format that allows for intensification and co-location of uses. This should include a mix of light industrial, industrial and storage/warehouse/logistics uses (B1c, B2, B8 and sui generis of a similar nature)
- Provide a significant proportion of new homes;
- Provide a business retention and relocation strategy; and
- Provide some small-scale office development close to the stations and the high street.

4.2 The proposal would provide 5,476 sqm of self-storage floorspace (including 'mezzanine' levels) with 566 sqm of office space. This accords with the land uses identified for the area in the Framework. However, a key objective of the Kentish Town Planning Framework, as well as policy H2 of the Camden Local Plan, is co-locating employment uses with new homes with the aim of providing a mixed-use neighbourhood. The below map included on page 62 of the KTPF shows the site (in red box) falls within an area that is shaded green which indicates that it should include a greater proportion of residential.



4.3 The ability to provide the mix and quantum of land uses that the Council aspires to is severely compromised by a piecemeal approach. The provision of a B8 storage building on this site increases the pressure on neighbouring sites to provide residential floorspace, which may well not even come forward if the developer(s) chooses not to provide it, as is the case with the subject

application. Furthermore, a piecemeal approach reduces the Council's ability to secure land uses with a high social value that are not typically provided by the free market e.g. community facilities / healthcare services. This highlights why a comprehensive, masterplan-led approach is absolutely crucial to achieving the optimum mix of land uses on the site.

5 Design

5.1 Policy D1 of the Local Plan requires all developments to be of the highest standard of design and will expect development to consider:

- Character, setting, context and the form and scale of neighbouring buildings and constraints of its site;
- The prevailing pattern, density and scale of surrounding development; and
- The impact on existing rhythms, symmetries and uniformities in the townscape.

5.2 Policy D3 of the Kentish Town Neighbourhood Plan sets out a criteria that applications for the development of new buildings should meet, '*a) Proposals must be based on a comprehensive understanding of the site and its context... b) Proposals must be well integrated into their surroundings and reinforce and enhance local character... c) Proposals must identify and draw upon key aspects of character, or design cues from the surrounding area. Appropriate design cues include grain, building form (shape), scale, height and massing, alignment, modulation, architectural detailing, materials, public realm and boundary treatments... e) Design proposals must be of the highest quality and sustainable, using materials that complement the existing palette of materials in the surrounding buildings*'

5.3 The Kentish Town Planning Framework strives for exceptional design quality to create a legible and inclusive neighbourhood built around well considered streets and spaces as well as innovative design solutions to support the co-location of a variety of uses, particularly industrial and residential, at higher densities. There is a suggestion that a general height of eight storeys is comfortable with some buildings exceeding this in appropriate locations.

5.4 At the time of writing the masterplan context remains unknown but even putting masterplan considerations aside, the proposed building is clearly unacceptable as it does not deliver on the various design objectives of the Kentish Town Planning Framework, the Local Plan and the Kentish Town Neighbourhood Plan. It demonstrates no analysis of context to understand what scale of development is appropriate for the site or any regard to high quality design principles.

5.5 The proposed massing appears commensurate with that of warehousing and storage buildings. It is very large with a functional appearance comprising large open plan floor plates that can accommodate storage containers. As viewed from the street, the building appears massive and monolithic owing to its very large footprint and unarticulated form. The building is set back from the pavement edge behind a band of soft landscaping with a building line in a similar position to the existing situation. The building's features – two huge and crudely detailed areas of curtain walling – begin at first floor level and the reception area is located on the corner with its main elevation on the flank of the building meaning that there is very little activation at ground floor level, or engagement with the street. The office use is located to the front of the building at ground to second floor levels which provides an opportunity for a more interesting and refined design to the façade; however, instead it appears as a very 'off the shelf' design solution that has little relation to its context.

5.6 The proposal therefore appears contrary to the design intentions of policy and the KTPF in a number of ways: the building fills nearly the entirety of its plot with no potential to incorporate routes through the site or public open space and/or play space. At 5 storeys, the height of the building is lower than the general 8 storeys cited in the Framework and there is no demonstration of an innovative building typology that allows for the co-location of uses.

5.7 It is worth noting that even if the building were considered to be high quality design in and of itself, at this point in time, the proposal has not been put forward by the developer as part of a comprehensive masterplan-led approach for the growth area. So there is no masterplan context to guide what is acceptable in terms of heights, footprint, position, orientation, material palette and landscaping. The site as it exists today may not even be a development plot should it be identified by the masterplan as the optimum location for a route through or public open space. Therefore, this piecemeal approach undermines rather than contributes to the co-ordinated delivery of the infrastructure priorities set out in the Kentish Town Framework such as open space, greening and new routes and connections. These are essential to the delivery of the vision for an innovative mixed use new neighbourhood and the associated development objectives listed in the Framework.

6 Impact on the amenity of surrounding occupiers

6.1 A daylight and sunlight assessment has been submitted to understand the potential effect on the daylight and sunlight received by neighbouring properties. The two nearest residential uses are 52 Holmes Road and student accommodation at Mary Brancker House, both situated on the north side of Holmes Road and to the south of the site.

6.2 Whilst there are deviations from BRE guidance insofar that some windows would experience a loss of daylight of greater than 20% of its former value and less than 27% VSC, all windows in Mary Brancker House and the majority at 52 Holmes Road, would retain VSC levels of 20% and above. Recent decisions from the Planning Inspectorate have deemed a value of 20% VSC or more to be “reasonably good” for an urban context. It is also noted that Mary Brancker House is in transient residential use as it is student accommodation. There is only one incidence where VSC levels fall below 20% at 52 Regis Road (and the loss is greater than 20% of its former value) which relates to a bedroom window at first floor level. The loss would be 25.5% and the resulting VSC 11.4%. Whilst low, its existing VSC level is also quite low at 15.5% which exaggerates the loss as it is a larger proportion of its former value. Given the room is a bedroom window and there are no other deviations in the same unit, the impact is considered acceptable.

6.3 The consideration of neighbouring amenity is another reason why comprehensive development is vital to make the most efficient use of land across the Regis Road area. Building so close to the boundary severely limits the development potential of neighbouring plots because of the need to ensure certain sensitive uses, for example residential, will receive an acceptable amount of daylight, sunlight, outlook and privacy.

6.4 There are no sunlight impacts associated with the proposed development.

6.5 In terms of privacy and outlook, there would be a 17.5-18m distance between those properties located on the south side of Regis Road which is a typical relationship between two buildings on opposite sides of a street and is an acceptable situation.

7 Energy and Sustainability

Demolition

7.1 The London Plan highlights the importance of retaining the value of existing buildings with the least preferable development option of recycling through demolition. Part e) requires all proposals that involve substantial demolition to demonstrate that it is not possible to retain and improve the existing building. CPG Energy efficiency and adaptation requires a condition and feasibility study and options appraisal that explores options for retrofitting and extending the existing building before considering demolition. If demolition is considered the only feasible option, then a Whole Life Carbon assessment is required. It is important that a Whole Life Carbon assessment is not used to justify demolition, its purpose is to manage and minimise carbon impact in situations

where demolition has been deemed acceptable.

- 7.2 The applicant has provided a pre-acquisition condition survey report, however, this is limited in scope and focuses only on the existing condition of the building. The report states that the building inspection found no evidence of significant defects to the structure of the property. It does not cover the breadth of information included in the table within para 9.4 of CPG Energy efficiency and adaptation. Crucially, after an assessment of the building's condition it does not move to an appraisal of the various options available as alternatives to demolition. An embodied carbon report has also been provided that looks at the difference between partial demolition and extension against full demolition and erection of a new purpose-built facility. For partial deconstruction and large extension, the report indicates embodied carbon emissions of 1.21 million tonnes compared to 1.09 tonnes for demolition and new construction.
- 7.3 The Whole Life-cycle Carbon Assessment submitted alongside this application concludes that a review of the upfront embodied carbon emissions (A1-A5) is predicted to be 278kgCO₂/m² GIA, which is significantly lower than the LETI 2030 best practice target of 350kg CO₂/m² for non-domestic buildings. This is likely to be a result of the type of building, a warehouse / storage use with low heating demands. Were demolition to have been justified, this would be an acceptable carbon impact.
- 7.4 Whilst the Council is seeking a comprehensive redevelopment of the site (an approach supported by the development plan policies) that may involve demolition of existing buildings, the lack of information and a subsequent failure to justify demolition is unacceptable.

Circular economy

- 7.5 A circular economy statement has been provided in accordance with policy SI7 of the London Plan, which expects 95% of construction and demolition waste to be diverted from landfill (reuse, recycle, recovery), and 95% of excavation waste to be put to beneficial use. In compliance with CPG Energy Efficiency chapter 9, the development proposal includes a pre-demolition audit identifying all materials within the building and documenting how they will be managed. The preference is for re-use on site, then re-use off site, remanufacture or recycling. The submission demonstrates that 96% of demolition waste will be reused or diverted from landfill.

Energy use

- 7.6 Policy CC1 requires all development to minimise the effects of climate change and encourages all developments to meet the highest feasible environmental standards that are financially viable during construction and occupation.
- 7.7 The supporting text (para 8.17) reads, 'All proposals for substantial demolition and reconstruction should be fully justified in terms of the optimisation of resources and energy use, in comparison with the existing building. Where the demolition of a building cannot be avoided, we will expect developments to divert 85%* of waste from landfill and comply with the Institute for Civil Engineer's Demolition Protocol and either reuse materials on-site or salvage appropriate materials to enable their reuse off-site. We will also require developments to consider the specification of materials and construction processes with low embodied carbon content.'
- 7.8 In line with policies CC1 and CC2, the Council will require development to incorporate sustainable design and construction measures. Based on the full floorspace with the demountable floors included, the development is classed as a non-domestic major development (> 1000 sqm) by *CPG Energy Efficiency and adaptation*. All major applications should achieve Zero Carbon with a minimum 35% on-site reduction in carbon emissions below Part L of the Building Regulations 2013 with 10% reduction through on-site energy efficiency measures and a further 20% achieved by on-site renewable technologies.

7.9 An energy assessment was submitted with the application that demonstrates the building would achieve a 10.2% reduction in carbon emissions at 'be lean' stage, with PV panels and ASHP further reducing emissions by 86.2% at 'be green' stage. Once energy efficiency measures and renewable energy is considered, a cumulative saving of 96.3% is achieved. The scheme would be subject to a carbon offset payment on the predicted residual emissions of 0.5 tonnes. This is then multiplied by £95 (offset cost per tonne) over 30 years resulting in an offset payment of £1,425. Were planning permission to be granted, the energy and sustainability plans as well as the carbon offset payment would be secured as a section 106 planning obligation. The absence of such an agreement to secure this will constitute a reason for refusal.

Sustainability

7.10 Policy CC2 requires all non-residential development of 500 sqm or more to achieve BREEAM 'Excellent' rating achieving 60% of all available Energy and Water credits and 40% of available Materials credits.

7.11 A BREEAM Pre-assessment has been submitted that demonstrates the development would achieve a score of 75.37% which translates to an Excellent rating. The development would target 71% of energy and materials credits and 75% of water credits.

7.12 Were the application to be supported, the carbon emission reduction and BREEAM 'Excellent' rating would be secured as Energy and Sustainability Plans via a Section 106 legal agreement but the absence of such an agreement to secure these benefits will constitute a reason for refusal.

8 Air Quality

8.1 The whole of the Borough of Camden has been declared an Air Quality Management Area (AQMA) due to concern over the achievement of long-term NO₂ AQS objective and short-term PM₁₀ AQS objective.

8.2 Policy CC4 of Camden's Local Plan requires the submission of air quality assessments (AQA) for developments that could cause harm to air quality or introduce sensitive receptors. For major developments, an Air Quality Neutral Assessment (AQNA) is also required.

8.3 The Council's Sustainability officers has reviewed the submission, which includes both an AQA and AQNA. In terms of the construction impacts risk assessment, the overall risk is medium and therefore were planning permission to be granted, a condition would be imposed to secure real time dust monitoring with at least 2 monitors is required alongside other mitigation measures in the Construction Management Plan.

8.4 In terms of the operational impact of development on the local area, the proposals are all electric and the number of transport trips will be less than the existing site. The site is not considered to be an area of poor air quality and the proposed use is commercial therefore there are no concerns about the operational impact of air quality on the occupants.

8.5 Overall, the development is considered to be Air Quality Neutral. The building emissions are scoped out as the proposed plant is all electric and the transport emissions are within the required benchmark.

9 Water and drainage

9.1 Local Plan Policy CC3 outlines that development will need to utilise SuDS in line with the drainage hierarchy and achieve greenfield run-off rate where feasible.

9.2 The Proposed Development will use Sustainable Drainage Systems (SuDS) in the form of

underground attenuation tanks, a green roof, permeable paving, rain gardens, filter drains, proprietary treatment systems and a hydrobrake flow control.

9.3 The Local Lead Flood Authority has reviewed the proposal and, following further requests for additional detail and information, have concluded that the proposal is acceptable in water and drainage terms subject to two conditions. The first regarding full details of the green roof and the second regarding full details of the sustainable drainage system to include filter drains, bioretention/ tree pits, permeable pavements, attenuation tank. The SUDS details must be designed to accommodate all storms up to and including a 1:100 year storm with a 40% provision for climate change as well as demonstrating a greenfield run off rate.

10 Biodiversity

10.1 A Preliminary Ecological Appraisal (PEA) has been submitted with the application and reviewed by the Council's Biodiversity officer. It concludes that all the designated sites are considered to be a sufficient distance from the application boundary that no adverse impacts are anticipated to arise as a result of the Proposed Development. Additionally, the PEA concludes that all the habitats on site are considered to be of low ecological value, and common within the wider landscape. Therefore, no impacts upon statutory or non-statutory designated sites are anticipated.

10.2 In terms of on-site biodiversity improvements, the proposal includes for a wildflower area, a green roof of meadow species, as well as other areas of native planting which is expected to mitigate the loss of some of the vegetation. Were the planning application to be supported, a condition would be attached requiring the details of four bat boxes and two bird boxes to be integrated into the fabric of the building.

11 Inclusive Economy

11.1 The applicant has submitted an employment and training strategy with the proposal informed by a meeting held with the Council's Inclusive Economy team. The following commitments are proposed during the construction phase:

- Recruit a target of 1 construction apprentices per £3m build cost across the wider supply chain, paid at the recommended wage level, and pay the Council a support fee of £1,700 per apprentice.
- Use reasonable endeavours to engage with local schools and other local educational organisations to promote awareness and interest in all elements of construction industry with a commitment to involve students in construction activities etc if practicable.
- Local recruitment – commitment to regular and ongoing engagement with Inclusive Economy team to ensure that wherever possible we are employing local people. 10% target for construction jobs to be filled by local residents.
- Local Procurement Strategy for construction stage supply chain (to include targeting high ratio of SME's). Sign up to the Camden Local Procurement Code to use reasonable endeavours to work towards a local procurement target of 10% of total procurement value and include promotion of local businesses to construction workers.
- Sign up to Considerate Constructor Scheme.
- Advertise all construction vacancies and work placement opportunities exclusively with the Kings Cross Skills Centre for a period of one week before marketing more widely.
- Work experience placements for local residents to be promoted.

11.2 Once operational, the statement maintains that Big Yellow will use reasonable endeavours to achieve this utilising job brokerage services recommended by the Council for a sales assistant role. The planning submission maintains that because the office provision is below 1,000 sqm there is no policy requirement to provide affordable workspace but regardless, the applicant were offering a 10% discount to LB Camden residents for a period of 5 years. However, officers are of

the opinion that the obligation should be based on the entirety of the floorspace including the demountable floors and the affordable workspace should therefore be improved. In consultation with the Inclusive Economy team, officers requested that 20% of the space to be provided at 50% discount in perpetuity (10 years minimum) as well as a detailed marketing strategy. The applicant has agreed to this and were the application to be supported, this would be secured via a Section 106 legal agreement but the absence of such an agreement to secure these benefits will constitute a reason for refusal.

12 Transport Considerations

Trip generation

- 12.1 A Transport Assessment (TA) has been submitted in support of this application which includes assessments of existing and proposed trip generation. TRICS software has been used to assess the trip generation for the office use (existing and proposed) as well as the existing warehouse. For the proposed self-storage use, the assessment was based on an existing self-storage facility at Fulham with a floor area of 16,721 sqm which is significantly larger than the proposed.
- 12.2 The analysis, which focuses on the peak periods, indicates that the proposed development is forecast to generate up to 15 trips during peak periods, with up to eight trips by vehicle. This is less than existing and there will be a net reduction in trip generation.
- 12.3 A draft workplace travel plan has been submitted in support of the planning application. Were planning permission to be granted, a Local Level Travel Plan and associated monitoring and measures contribution would be secured as a section 106 planning obligation to secure sustainable travel improvements against targets. The absence of such an agreement to secure this will constitute a reason for refusal.

Car parking

- 12.4 Policy T2 limits the availability of parking and requires all new developments in the borough to be car free. Exceptions are made for essential operations or servicing needs only, which it is accepted that a B8 use will have. Based on an accumulation survey of the Fulham site, the applicant estimates that 11 car parking spaces will be needed for operational use by customers and visitors to the self-storage facility. This is considered acceptable and commensurate with the proposed use.
- 12.5 Were the planning application to be supported, a Section 106 agreement would secure the use as car-free as far as parking for employees is concerned. The absence of such an agreement to secure this will constitute a reason for refusal.

Cycle parking

- 12.6 In line with Policy T1 of the Local Plan, the Council expect cycle parking at new developments to be provided in accordance with the standards set out within the London Plan.
- 12.7 For the office, 4 long stay and 4 short stay cycle parking spaces would be provided which is policy compliant and acceptable. For the self-storage use, it is proposed to provide 8 long stay spaces and 10 short stay spaces for customer / visitor use. 8 spaces fall short of the policy compliant amount (18) for the storage use but as there would only be 3-5 employees on site at any one time, the proposed number would be acceptable. It is noted that the provision has been assessed against the total floorspace including the demountable floors.
- 12.8 The design and location of the cycle stores – secure and covered provision in the service yard for the long stay and Sheffield stands to the front of the building for the short stay – is acceptable. Were planning permission to be granted, the cycle parking provision would be secured by

condition. The condition would also request details of surface-mount or retractable ground anchors to be installed within the bays to accommodate cargo bikes in accordance with CPG Transport.

Construction Management Plan

12.9 Owing to the scale of demolition and construction involved, the proposal has the potential to lead to a variety of amenity issues for local people in terms of noise, vibration, air quality 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. A Construction Management Plan would therefore be required to minimise impacts from the movement of goods and materials during the construction process.

12.10 A framework Construction Environmental Management Plan has been submitted in support of the planning application. While the information provided in the framework CMEP is useful, were planning permission to be granted, a more detailed CMP and associated construction impact bond and financial contribution for CMP monitoring would be secured via a Section 106 planning obligations. As the proposed development is not acceptable, the absence of a CMP, CMP monitoring contribution and construction impact bond form a further reason for refusal.

Highway works

12.11 The carriageway and footway directly adjacent to the site on Regis Road may sustain damage from the proposed demolition, excavation and construction works required. Regis Road is private and construction damage to it would be a matter between the developer and the owner of Regis Road.

13 Land Contamination

13.1 Policy A1 of the Local Plan seeks to manage the impact of development and requires contaminated land to be properly considered. The supporting text notes that the Council will expect proposals for the redevelopment of sites that are known to be contaminated, have the potential to be contaminated, or are located in close proximity to such sites to submit relevant assessments and take appropriate remedial action to the Council's satisfaction if require.

13.2 Council records show that the site has potential to be contaminated and as a result a contaminated land assessment is required. A Land Quality Statement and Remediation Specification prepared by Campbell Reith has been submitted with the application. The land quality statement considers the site to present a low risk in relation to contamination issues although this needs to be re-assessed upon completion of additional gas / vapour monitoring in the west of the site which was not accessible.

13.3 Contaminants found during desk study and subsequent site investigation and chemical analysis include asbestos in two of ten soil samples and nominal elevated metal concentrations in groundwater. With relation to ground gas, the site is considered to be a CIRIA Characteristic Situation One and as such, gas protection measures are not considered necessary although this is subject to aforementioned further testing in the west of the site. The report goes on to detail outline remedial works.

13.4 Were planning permission to be granted, a multi-step condition would be attached that before commencement requires a scheme to deal with the risks associated with site contamination and before occupation a verification report demonstrating completion of the works set out in the approved remediation strategy. The condition would also stipulate that were any unforeseen contamination found to be present then no further development should be carried out until the remediation strategy has been amended and approved.

14 Community Infrastructure Levy

- 14.1 The CIL applies to all proposals which add 100m² of new floorspace or an extra dwelling. Camden collects two types of Community Infrastructure Levy: the Mayoral CIL and the Camden CIL.
- 14.2 The Camden CIL is not payable on industry and warehousing developments.
- 14.3 Mayoral CIL is charged at a rate of £50 per sqm for all developments in Camden regardless of use (unless exempt). Based on the total net floorspace proposed including the demountable floors, the Mayoral CIL for the proposed development would be £312,150 (6,243 x 50). Without counting the demountable floor area, the Mayoral CIL payable would be £38,500. For the reasons outlined in section 1 of the report, officers are of the opinion that CIL should be paid on the total floorspace including the demountable floors.

15 Conclusion

- 15.1 The proposal is in clear conflict with the development plan which includes the Camden Local Plan 2017, Kentish Town Neighbourhood Plan 2018 and draft Site Allocations document (2019). Policy G1 of the Local Plan promotes the most efficient use of land and buildings in Camden. It identifies Regis Road as a growth area which will accommodate a concentration of development through securing good design and high densities. Policy SP2 and SP2a of the Kentish Town Neighbourhood Plan 2018 recognises Regis Road as an area of intensification and mixed-use development and supports a comprehensive approach to its redevelopment. Policy KT2 of the draft Site Allocations document warn that applications submitted in advance of the comprehensive development will not be permitted. The Kentish Town Planning Framework is adopted, site specific guidance to which the Council affords significant weight. The Framework recognises that only comprehensive and coordinated approach will allow the site to reach its full potential and is fundamentally opposed to piecemeal development. There are further fundamental issues relating to the poor quality design of the proposed building which fails to make the best use of its site in addition to a lack of justification for the demolition of the existing building which is in an apparently serviceable condition.

16 Recommendation

- 16.1 Refuse Planning Permission on the following grounds:

- The proposal, by representing piecemeal development, prejudices the comprehensive redevelopment of the area and fails to promote the most efficient use of land, including the provision of a mix of land uses and supporting infrastructure, contrary to policies G1 (Delivery and location of growth), E1 (Economic development) and H1 (Maximising housing supply) of the Camden Local Plan 2017 and policies SP2 (Kentish Town Potential Development Area) and SP2a (KTPDA – General Development Criteria) of the Kentish Town Neighbourhood Plan 2018.
- The proposed development, by reason of its height, mass, footprint and detailed design, would fail to make the best use of its site or respect the design aspirations for the Regis Road Growth Area, contrary to policies G1 (Delivery and location of growth) and D1 (Design) of the London Borough of Camden Local Plan 2017 and policies D3 (Design principles) and SP2a (KTPDA – General Development Criteria) of the Kentish Town Neighbourhood Plan 2018.
- The proposed development, in the absence of a legal agreement to secure the details set out on the sustainability and energy plans, a BREEAM pre-assessment and a carbon offset contribution, would be likely to contribute to climate change, contrary to policies

CC1 (Climate change mitigation), CC2 (Adapting to climate change), CC3 (Water and flooding), CC4 (Air quality), C1 (Health and wellbeing) and DM1 (Delivery and monitoring) of the London Borough of the London Borough of Camden Local Plan 2017 and policy SP2a (KTPDA – General Development Criteria) of the Kentish Town Neighbourhood Plan 2018.

- The proposed development, in the absence of a legal agreement to secure a car-free development, would be likely to contribute unacceptably to parking stress, environmental impacts and congestion in the surrounding area, contrary to policies T1 (Prioritising walking, cycling and public transport), T2 (Parking and car-free development), CC1 (Climate change mitigation) and DM1 (Delivery and monitoring) of the London Borough of Camden Local Plan 2017 and policy SP2a (KTPDA – General Development Criteria) of the Kentish Town Neighbourhood Plan 2018.
- The proposed development, in the absence of a legal agreement to secure a Construction Management Plan, construction impact bond and a financial contribution for construction management plan monitoring, would be likely to give rise to conflicts with other road users and be detrimental to the amenities of the area generally, contrary to policies G1 (Delivery and location of growth), A1 (Managing the impact of development), T3 (Transport Infrastructure), T4 (Sustainable movement of goods and materials), DM1 (Delivery and monitoring), A4 (Noise and Vibration) and CC4 (Air quality) of the London Borough of Camden Local Plan 2017.
- The proposed development, in the absence of a legal agreement securing a carbon offset contribution, would fail to meet the requirement for zero carbon, contrary to policies CC1 (Climate change mitigation), CC2 (Adapting to climate change) and DM1 (Delivery and monitoring) of the London Borough of the London Borough of Camden Local Plan 2017.
- The proposed development, in the absence of a legal agreement for a Local Level Travel Plan and financial contributions for the associated monitoring, would be likely to give rise to conflicts with other road users and be detrimental to the amenities of the area generally, contrary to policies G1 (Delivery and location of growth), A1 (Managing the impact of development), T3 (Transport Infrastructure), DM1 (Delivery and monitoring), A4 (Noise and Vibration) and CC4 (Air quality) of the London Borough of Camden Local Plan 2017.
- The proposed development, in the absence of a legal agreement securing a local employment and training package including an appropriate financial contribution, would be likely to lead to the exacerbation of local skill shortages and lack of training opportunities and would fail to contribute to the regeneration of the area, contrary to policies G1 (Delivery and location of growth), E1 (Economic development) and DM1 (Delivery and monitoring) of the London Borough of Camden Local Plan 2017.



Application ref: 2023/0093/P
Contact: Kristina Smith
Tel: 020 7974 4986
Email: Kristina.Smith@camden.gov.uk
Date: 25 August 2023

Development Management
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planning@camden.gov.uk
www.camden.gov.uk/planning

DWD
DWD
6 New Bridge Street
LONDON
EC4V 6AB

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Refused

Address:
Alpha House
Regis Road
London
Camden
NW5 3EW

Proposal: Demolition of the existing building and the construction of a self-storage facility (Use Class B8) and office space (Use Class E(g)(i)), together with vehicle and cycle parking and landscaping

Drawing Nos: Drawings: (prefix 2314-) X02; P01; P02; P03; P04; P05; P06; P07; P08; P09; P10

Planning Statement (inc draft Heads of Terms), prepared DWD; Design and Access Statement (inc visualisations), prepared by Mountford Pigott; Soft Landscaping Strategy and Drawings, prepared by Rappor; Air Quality Assessment (inc Air Quality Neutral Assessment and completed Camden Air Quality Pro Forma), prepared by RPS; Sustainability Statement, prepared by Blewburton Limited; BREEAM New Construction Pre-Assessment, prepared by Blewburton Limited; Energy Assessment, prepared by Silcock Dawson; Arboricultural Impact Assessment and Arboricultural Method Statement (inc Tree Protection Plan), prepared by Crown Consultancy; Noise Impact Assessment, prepared by Sharps Acoustics; Preliminary Ecological Assessment, prepared by RPS; Biodiversity Net Gain Assessment, prepared by RPS; Construction & Environmental Management Plan (including Construction Transport Management Plan), prepared by Big Yellow Self Storage; Daylight and Sunlight Assessment, prepared by GIA; Economic

Statement, prepared by Quod; Employment and Training Strategy, prepared by Big Yellow Self Storage; Circular Economy Statement, prepared by Silcock Dawson (inc Building Condition Survey, prepared by Paragon); Whole Life-Cycle Carbon Assessment, prepared by Silcock Dawson; Land Quality Statement, prepared by Campbell Reith; Remediation Specification, prepared by Campbell Reith; Fire Statement, prepared by Hydrock; Drainage Strategy and Maintenance Statement (Rev P6) (inc completed Camden Drainage Proforma), prepared by Campbell Reith; Designers Risk Assessment, prepared by Campbell Reith; Transport Assessment, prepared Rappor; Euroseam green roof details; Ground Investigation Factual Report, prepared by Harrison Geotechnical Engineering; Travel Plan, prepared by Rappor; Delivery and Servicing Plan, prepared by Rappor; Statement of Community Involvement, prepared by Kanda

The Council has considered your application and decided to **refuse** planning permission for the following reason(s):

Reason(s) for Refusal

- 1 The proposal, by representing piecemeal development, prejudices the comprehensive redevelopment of the area and fails to promote the most efficient use of land, including the provision of a mix of land uses and supporting infrastructure, contrary to policies G1 (Delivery and location of growth), E1 (Economic development) and H1 (Maximising housing supply) of the Camden Local Plan 2017 and policies SP2 (Kentish Town Potential Development Area) and SP2a (KTPDA - General Development Criteria) of the Kentish Town Neighbourhood Plan 2018.
- 2 The proposed development, by reason of its height, mass, footprint and detailed design, would fail to make the best use of its site or respect the design aspirations for the Regis Road Growth Area, contrary to policies G1 (Delivery and location of growth) and D1 (Design) of the London Borough of Camden Local Plan 2017 and policies D3 (Design principles) and SP2a (KTPDA - General Development Criteria) of the Kentish Town Neighbourhood Plan 2018.
- 3 The proposed development, in the absence of a condition and feasibility study and options appraisal, has failed to demonstrate that the proposed substantial demolition is justified contrary to policy CC1 (Climate change mitigation) of the London Borough of Camden Local Plan 2017 and policies SI2 (Minimising greenhouse gas emissions) and SI7 (Reducing waste and supporting the circular economy) of the London Plan 2021.
- 4 The proposed development, in the absence of a legal agreement to secure the details set out on the sustainability and energy plans and a BREEAM pre-assessment would be likely to contribute to climate change, contrary to policies CC1 (Climate change mitigation), CC2 (Adapting to climate change), CC3 (Water and flooding), CC4 (Air quality) and DM1 (Delivery and monitoring of the London Borough of the London Borough of Camden Local Plan 2017 and policy SP2a of the Kentish Town Neighbourhood Plan 2018.
- 5 The proposed development, in the absence of a legal agreement to secure a car-free development, would be likely to contribute unacceptably to parking stress, environmental impacts and congestion in the surrounding area, contrary to policies

T1 (Prioritising walking, cycling and public transport), T2 (Parking and car-free development), CC1 (Climate change mitigation) and DM1 (Delivery and monitoring) of the London Borough of Camden Local Plan 2017 and policy SP2a (KTPDA - General Development Criteria) of the Kentish Town Neighbourhood Plan 2018.

- 6 The proposed development, in the absence of a legal agreement to secure a Construction Management Plan, construction impact bond and a financial contribution for construction management plan monitoring, would be likely to give rise to conflicts with other road users and be detrimental to the amenities of the area generally, contrary to policies G1 (Delivery and location of growth), A1 (Managing the impact of development), T3 (Transport Infrastructure), T4 (Sustainable movement of goods and materials), DM1 (Delivery and monitoring), A4 (Noise and Vibration) and CC4 (Air quality) of the London Borough of Camden Local Plan 2017.
- 7 The proposed development, in the absence of a legal agreement securing a carbon off-set contribution, would fail to meet the requirement for zero carbon, contrary to policies CC1 (Climate change mitigation), CC2 (Adapting to climate change) and DM1 (Delivery and monitoring) of the London Borough of the London Borough of Camden Local Plan 2017.
- 8 The proposed development, in the absence of a legal agreement for a Local Level Travel Plan and financial contributions for the associated monitoring, would be likely to give rise to conflicts with other road users and be detrimental to the amenities of the area generally, contrary to policies G1 (Delivery and location of growth), A1 (Managing the impact of development), T3 (Transport Infrastructure), DM1 (Delivery and monitoring), A4 (Noise and Vibration) and CC4 (Air quality) of the London Borough of Camden Local Plan 2017.
- 9 The proposed development, in the absence of a legal agreement securing a local employment and training package including an appropriate financial contribution, would fail to support employment opportunities for local residents and contribute to the regeneration of the area, contrary to policies G1 (Delivery and location of growth), E1 (Economic development) and DM1 (Delivery and monitoring) of the London Borough of Camden Local Plan 2017.
- 10 The proposed development, in the absence of a legal agreement securing affordable workspace for SMEs, would fail to provide a range of premises for businesses to support Camden's economy, contrary to policies G1 (Delivery and location of growth), E1 (Economic development), E2 (Employment premises and sites) and DM1 (Delivery and monitoring) of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK.
- 2 Please note that reasons for refusal nos. 4, 5, 6, 7, 8, 9 and 10 could be addressed and would potentially 'fall away' if a legal agreement to secure the items should be satisfactorily entered into by the applicant/relevant landowners.

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

You can find advice about your rights of appeal at:

<https://www.gov.uk/appeal-planning-decision>.

If you submit an appeal against this decision you are now eligible to use the new [submission form](#) (Before you start - Appeal a planning decision - GOV.UK).

Yours faithfully

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

Daniel Pope
Chief Planning Officer



LBC land in Conditional Land Sale Agreement with Yoo Capital:
 A: RRC & Vehicle Pound
 B: Holmes Road Depot

YC acquisition in Feb '24:
 1, 1a, 7a, 11/12;

Sites owned by Joseph Homes:
 3, 4.

Big Yellow: Site 8

UPS: Site 5, 5a, 5b;