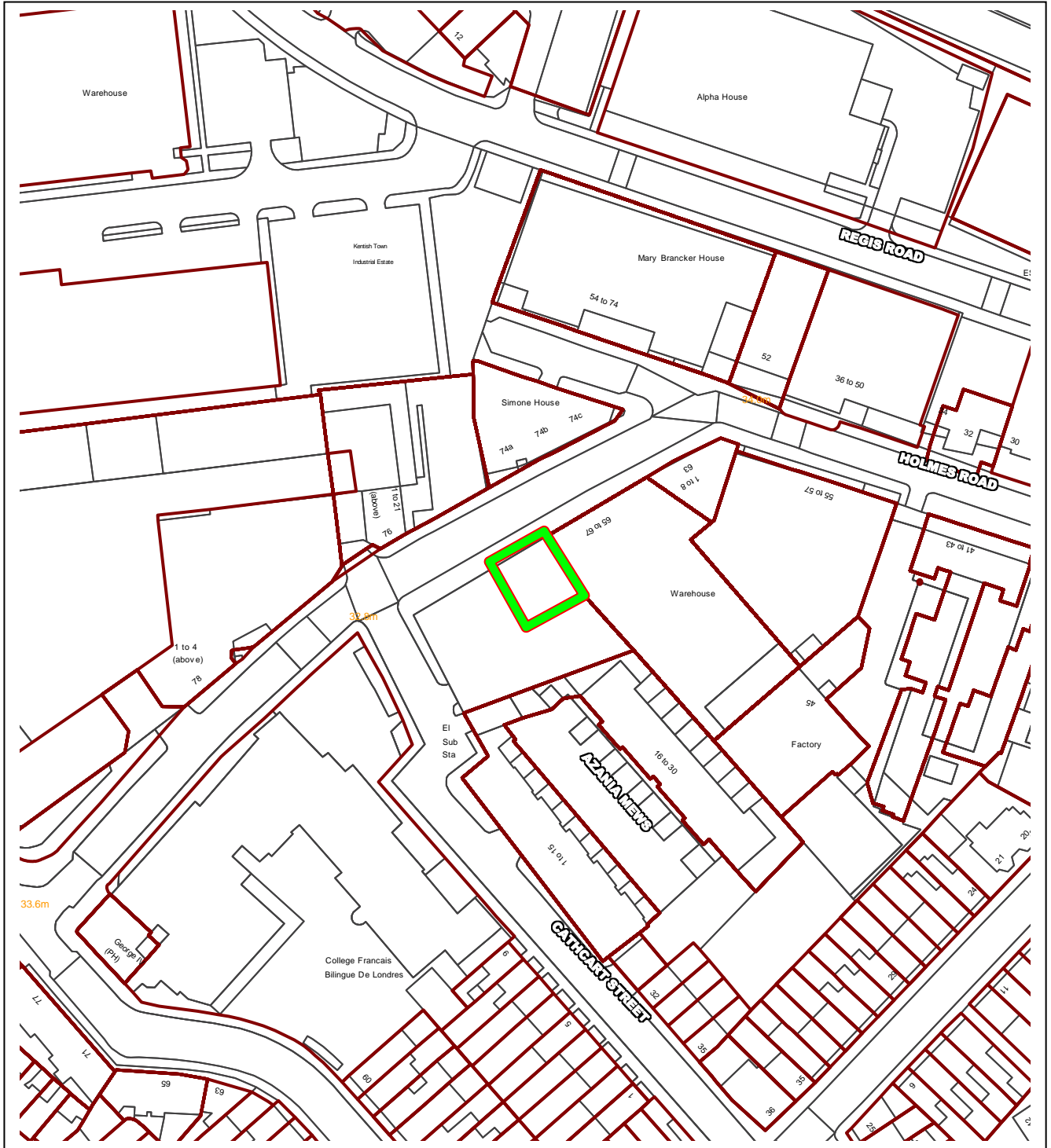


2024/0094/P 65 - 69 Holmes Road



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Site photographs and drawings



1. Street view



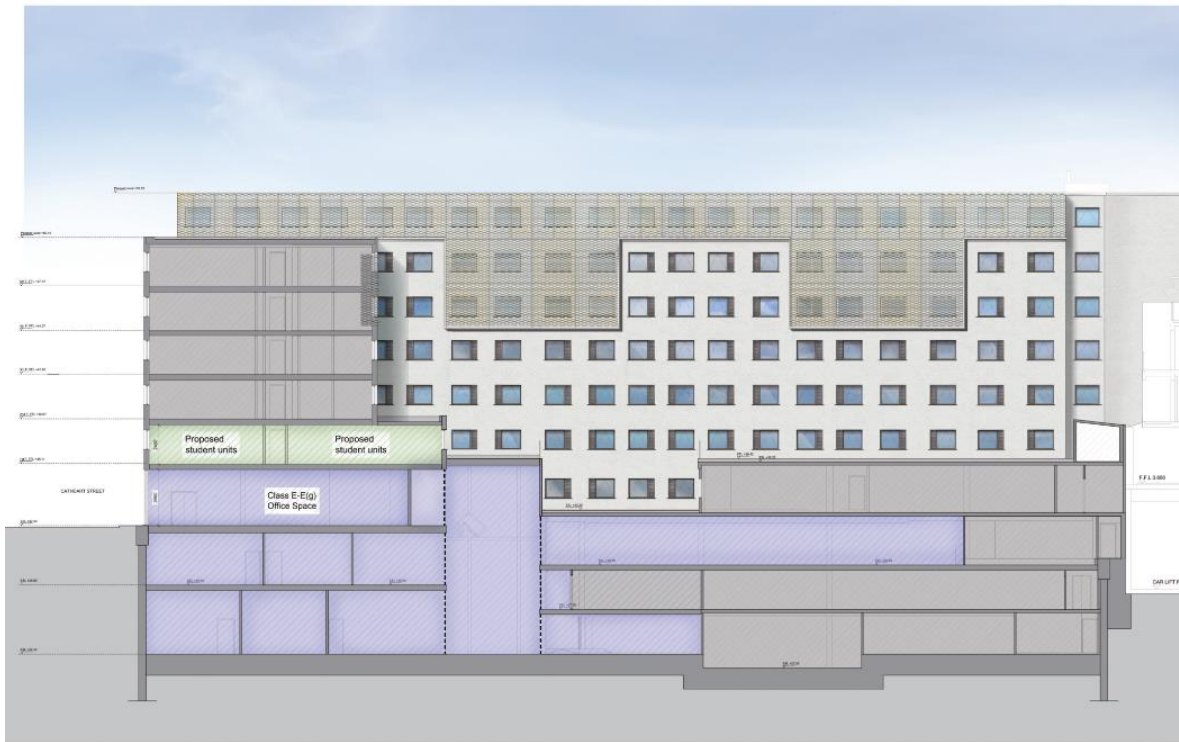
2. Existing elevation



3. Proposed elevation



4. Proposed first floor



5. Proposed section AA

Delegated Report (Members Briefing)		Analysis sheet		Expiry Date: 06/03/2024	
		N/A		Consultation Expiry Date: 12/04/2024	
Officer			Application Number(s)		
Josh Lawlor			2024/0094/P		
Application Address			Drawing Numbers		
65-69 Holmes Road London NW5 3AN			See decision notice		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
Division of the existing internal double height E(g) office space into two separate storeys to create 8 additional student accommodation rooms.					
Recommendation:		Grant planning permission subject to a S106 Legal Agreement			
Application Type:		Full Planning Permission			
Conditions or Reasons for Refusal:		Refer to Decision Notice			
Informatives:					
Consultations					
Summary of consultation:		Site notices were posted around the site from 19/01/2024.			
Adjoining Occupiers:		No. of responses	3	No. of objections	3
Summary of consultation responses:		<p>There have been objections from three residents, which are largely based on noise and disturbance from the existing use and the use of the premises by non-students/short-stay accommodation:</p> <ul style="list-style-type: none"> The original planning application was opposed by all residents The developer does not need this expansion The building owner has made several attempts to grow this site but has always been refused This business is not suited to a residential area. In Summer, there are large, short-stay groups of students gathering outside Residents have had to complain about the noisy and antisocial behaviour late at night (litter, street congregation, smoking drinking). 			

- Staff say not responsible for their residents' behaviour outside. The business operator has shown they are unable and/or unwilling to put procedures and policies in place that are effective in eliminating or even reducing late night noise disturbances.
- Occasional bookings on booking.com for their facilities are being offered to non-students which is against their planning permission for their type of business.
- Owners should be forced to reduce their student numbers until they can demonstrate they can operate their business with respect to the local community. The adjacent Mary Brancker House student accommodation does not attract anywhere near the same level of issues as The Stay Club.

Officer response:

- Previous objection to a previous development is not a reason to refuse this application which is considered on its own merits
- As above previous refusals and the 'needs' of the developer are not material to the assessment
- The principal of student accommodation has been established, please refer to the land use section for an assessment of the increase in student bedrooms
- The case officer for this application has consulted Enforcement Officers who note that there have not been significant complaints over recent months/years following enforcement investigations into short term lets and disturbance
- The LPA cannot force the premises to reduce student numbers beyond what is consented, and the increase in the number of bed spaces under this application is considered minimal
- The new flats would be subject to the Student Management Plan, which currently applies to the site

Inkerman Area Residents Association objection

Objections from Inkerman Area Residents Association are summarised below:

- We have had a steady stream of complaints about the Stay Club.
- Large groups of noisy people stay for short periods and cause nuisance by hanging outside the building late at night, making a lot of noise, and smoking.
- Several attempts have been made to raise these issues with the Stay Club's management, but with no result.
- There is a need to maximise the supply of student housing to support the growth of higher education institutions
- The London Plan strategically sets out in paragraphs 4.15.1 and 4.15.2 that London's higher education providers make a significant contribution to its economy and labour market. It is important that their attractiveness and potential growth are not compromised by inadequate provision for new student accommodation.
- The Stay Club has been unable to fill the Holmes Road premises to meet this need. Unlike its near neighbour, Mary Brancker House, there seems to be no specific contract with a higher education establishment.
- The student rooms are let to short-term visiting groups, e.g. young language students.

- The rooms in the building are advertised for rent at standard market rates for studios. These advertisements rarely specify that the accommodation is for students of any kind, and we know that the rooms are sometimes let to non-students at a commercial rent.
- Does not support local economy and Camden as a centre for higher education
- There is no justification for an expansion of rooms for student use. The applicant is already in breach of their current planning permission by using the premises for commercial rental in addition to student letting.

Officer response:

- The premises being used by non-students would be a breach of planning control, and this has been investigated by Enforcement Officers. Previous investigations have found that the premises have been occupied by students and in accordance with the substantive permissions.
- The case officer for this application has consulted Enforcement Officers who note that there have not been significant complaints over recent months/years following enforcement investigations into short term lets and disturbance
- The LPA cannot force the premises to reduce student numbers beyond what is consented, and the increase in the number of bed spaces under this application is considered minimal
- The application will subject to the existing Student Management Plan obligation which covers the site

Site Description

The application site comprises an 'L' shaped plot of land. It was formerly occupied by Magnet Kitchen Showroom and Warehouse with customer car parking and two vehicular access points. The approved development under 2013/7130/P (as amended under 2017/6786/P) has been substantially implemented for a seven-storey building (plus two basement levels) with student accommodation, warehouse and café uses. Part of the development is occupied. A number of minor-material amendment applications have been approved (these are summarised in the relevant history section below).

The Kentish Town Regis Road Growth Area is to the north of the site and the Kentish Town - Town Centre is within walking distance. The site lies within the boundaries of the Kentish Town Neighbourhood Forum and is subject to the adopted Neighbourhood Plan.

The Inkerman Conservation Area lies adjacent to the site's western boundary, on the opposite side of Cathcart Street. The substantially completed building is visible from various parts of Conservation Area.

Relevant History

The application site has a significant history including 4 refusals, 2 of which were appealed by way of Public Inquiry (one was allowed and two were dismissed), before the original permission was approved under 2013/7130/P dated 06/03/2014. Two recent applications for an additional storey to the main building (providing further student living accommodation) have been refused and were subsequently dismissed at appeal. The issues were design/conservation, quality of living accommodation and neighbouring amenity. The reference numbers are 2018/4871/P (appeal ref: APP/X5210/W/19/3229042) and ref. 2020/2406/P (appeal ref. APP/X5210/W/20/3263246). A brief summary of the most relevant history is listed below in chronological order (by application type) below.

Full Planning Applications

2008/4795/P (withdrawn): Erection of a part six, part three storey building with two basement levels to provide student accommodation comprising 411 self-contained study rooms and ancillary facilities (Sui Generis), restaurant/cafe use (Class A3) at ground floor level, and part change of use of upper basement level of 55-57 Holmes Road for use as ancillary facilities (refuse store, common room) for the student accommodation. (Following the demolition of the existing warehouse building). *The application was withdrawn 27 January 2009.*

2009/3187/P (Refused, appeal withdrawn): Erection of a part six, part three storey building with three and two basement levels respectively to provide student accommodation comprising 358 self-contained study rooms with ancillary facilities (Sui Generis), storage and distribution use (Class B8) at lower basement and ground floor level and restaurant (Class A3) at ground floor level. (Following the demolition of the existing warehouse building). *The application was refused on 13 October 2009 for 26 reasons, including an excessive proportion of student accommodation and a loss of employment space. A Public Inquiry appeal was withdrawn by the Appellant on 9 February 2010.*

2010/6039/P (Refused, appeal allowed): Erection of a part six, part three storey building with two basement levels to provide student accommodation comprising 268 student rooms housed within 245 units with ancillary facilities (Sui Generis), storage and distribution use (Class B8) at lower basement and ground floor level and coffee shop (Class A1) at ground floor level. *The application was refused on 4th February 2011 for 19 reasons including failure to deliver an appropriate mix of housing types, over-concentration of student housing (that would be harmful to the established mixed and inclusive community, and result in a loss of amenities to existing residents) and loss of employment floorspace.*

An appeal was submitted (ref: APP/X5210/A/09/2116161) and subsequently allowed on 1st December 2011. A unilateral undertaking (UU) was submitted during the appeal to satisfactorily address the majority of the reasons for refusal (9 to 19).

2012/6548/P (Refused, appeal dismissed): Erection of part seven, part three storey building with two basement levels to provide student accommodation comprising 313 student rooms housed within 278 units with ancillary facilities (sui generis), office use (Class B1) at lower basement and ground floor level. *The application was refused on 25 March 2015. The main reasons for refusal were based on the unacceptable loss of employment floorspace; the over-concentration of student accommodation; lack of external amenity space for students and due to the height, bulk, massing and design of the proposal there was considered to be an adverse impact on the character and appearance of the area and potential impacts on sunlight/daylight of neighbouring properties.*

An appeal was submitted (ref: APP/X5210/A/13/2197192) and subsequently dismissed on 4 October 2013. The appeal was dismissed due to the loss of employment space, the over-concentration of student accommodation and the lack of external amenity space for students.

2013/7130/P (Granted Subject to a Section 106 Legal Agreement): Erection of part seven, part three storey building above two basement levels to provide student accommodation comprising 273 units (337 rooms and 439 bed spaces) with ancillary facilities (sui generis), warehouse (Class B8) at basement and ground floor levels and a coffee shop (Class A1) at ground floor level following demolition of existing B8 buildings. *Planning permission was granted subject to a Section 106 Legal Agreement on 06/03/2014. The scheme was essentially an amalgamation of the acceptable elements*

(as deemed by the Planning Inspectorate) from the two appeal proposals ref: 2010/6039/P and 2012/6548/P.

A number of planning obligations and conditions were included such as financial contributions, the restriction of occupation of student accommodation until the commercial element has been let and occupied, restricting occupation to student accommodation only and not permanent residential accommodation, the development must be linked to a Higher Education Funding Council for England (HEFCE) funded institution, a student management plan, travel plan, Construction Management Plan, Service Management Plan, car-free development, restrictions on use of external amenity space, external noise level compliance and no increase in student bedspaces (i.e. capped at 439).

2018/4871/P (Refused, appeal dismissed): Erection of 7th floor extension to facilitate the creation of 42 student accommodation rooms (Sui Generis) to existing student accommodation. *The application was refused on 4 March 2019. The main reasons for refusal were based on the height, scale, massing and detailed design causing harm to the building and adjoining Conservation Area; poor internal ceiling height, room sizes and outlook leading to substandard living accommodation and a material loss of outlook and daylight to neighbouring occupiers.*

An appeal was submitted (ref: APP/X5210/W/19/3229042) and subsequently dismissed on 25 September 2019. The appeal was dismissed on all the substantial reasons for refusal and the Inspector's Decision is attached as Appendix 1.

2018/4877/P (Granted subjected to conditions): The formation of a mezzanine floor (at basement level) to provide study rooms, administration, storage areas, kitchen and gym facilities within the student area of the building (partially retrospective) approved on 02/05/2020.

2020/3698/P: (Granted) Change of use of warehouse space (Use Class B8) to office/light industrial/studio space (Use Class B1), including the installation of a mezzanine basement level over a part of the double height warehouse space in order to create 957 sqm of additional space for B1 use. Approved on 13/09/2023

2020/2406/P Erection of 7th of roof extension to facilitate the creation of 27 student accommodation rooms (Sui Generis) to existing student accommodation Refused 01/09/2020, and dismissed at appeal)

There were 12 reasons for refusal including design and character (height, mass, scale), quality of accommodation (outlook and ventilation), impact on residential amenity (loss of outlook and overbearing), energy and sustainability (CO2 reductions at Be Lean stage, failure to meet BREEAM excellent). The remaining reasons for refusal related to the absence of a Section 106 legal agreement to secure a range of obligations related to on and off-site contributions to mitigate the impact of development.

The Inspectorate dismissed an appeal on 10/05/2021 under Appeal Ref. APP/X5210/W/20/3263246. The Inspector found that the proposal would harm both the character and appearance of the area and the living conditions of some occupiers at 55-57 Holmes Road.

2023/5391/P: (Refused) Erection of roof extension (i.e. seventh floor) to facilitate the creation of 11 student accommodation rooms. Refused 02/05/2024

Minor-Material Amendments (Section 73 applications)

2015/5435/P (Granted Subject to a Section 106 Legal Agreement): Variation of Condition 20 (approved plans) of planning permission 2013/7130/P was approved on 27/05/2016 with a Deed of Variation to the original legal agreement. The main changes included extension of the lower basement level to relocate part of the warehouse (B8) use from the mezzanine floor, internal reconfigurations, introduction of social space and study rooms on the mezzanine level, changes between double and twin rooms, lift overrun, new rooflights and lightwells.

2016/4664/P (Granted Subject to a Section 106 Legal Agreement): Variation of Condition 20 (approved plans) of planning permission 2013/7130/P was approved on 03/05/2017 with a Deed of Variation to the original legal agreement. The main changes included reconfiguration of the warehouse levels and ground floor to provide an enlarged social area for the student accommodation use; an additional row of windows on the Holmes Road elevation; additional rooflights into basement and changes to positioning of windows.

2017/6786/P (Granted Subject to a Section 106 Legal Agreement): Variation of Condition 20 (approved plans) of planning permission 2013/7130/P was approved on 27/07/2018 with a Deed of Variation to the original legal agreement. The main proposed changes include lowering the basement level by 950mm, internal changes, an increase to the volume and area of warehouse space and reduction of ancillary student space. This version of the consent has been implemented.

Approval of Details

2016/5269/P (Granted): Submission of details to discharge conditions 4 (contamination), 5 (landscaping), 6 (waste), 10 (CHP), 15 (access) and partial discharge of 16 (SuDs) of planning permission 2013/7130/P. The application was approved on 03/03/2017.

2016/5496/P (Granted): Submission of details to partially discharge condition 2 (materials and details) of planning permission 2013/7130/P. The application was approved on 30/12/2016.

2016/6245/P (Granted): Submission of details to discharge conditions 14 (details, calculations, method and design of groundworks) and 22 (appointment of engineer) of planning permission 2013/7130/P. The application was approved on 03/03/2017.

2017/6568/P (Refused): Submission of details to discharge condition 2 (details of the layout, sections, elevations of windows, door framing and roof plant equipment) of planning permission 2013/7130/P. The application was refused on 12/01/2018 as the proposed materials and details would not safeguard the character and appearance of the premises and the wider area as per the requirement of the planning condition.

Advertising Consent

2019/1927/A (Granted): Display of external non-illuminated mural on the side wall of hostel building facing Cathcart Street. The application was approved on 10/06/2019 and is in situ.

The National Planning Policy Framework 2023

London Plan 2021

Camden Local Plan 2017

Policy G1 Delivery and location of growth

Policy C5 Safety and security

Policy C6 Access for all

Policy E1 Economic development

Policy E2 Employment premises and sites

Policy A1 Managing the impact of development

Policy A2 Open space

Policy A3 Biodiversity

Policy A4 Noise and vibration Policy D1 Design

Policy CC1 Climate change mitigation

Policy CC2 Adapting to climate change

Policy CC3 Water and flooding

Policy CC4 Air quality
Policy CC5 Waste
Policy T1 Prioritising walking, cycling and public transport
Policy T2 Parking and car-free development
Policy T3 Transport infrastructure
Policy T4 Sustainable movement of goods and materials
Policy DM1 Delivery and monitoring

Kentish Town Neighbourhood Forum Neighbourhood Plan - Adopted 19 September 2016

- Design Policy D3: Design principles

Camden Planning Guidance (CPG)

- [Access for All CPG - March 2019](#)
- [Amenity](#) - January 2021
- [Design](#) - January 2021
- [Developer Contribution CPG - March 2019](#)
- [Employment sites and business premises](#) - January 2021
- [Energy efficiency and adaptation](#) - January 2021
- [Housing](#) - January 2021
- [Public open space](#) - January 2021
- [Student housing CPG - March 2019](#)
- [Transport](#) - January 2021
- [Water and flooding CPG - March 2019](#)

Inkerman Conservation Area Statement March 2003

Assessment

1. The proposal

- 1.1. Planning permission is sought for the division of the existing internal double-height E(g) office space at first floor level into two separate storeys to facilitate the creation of 8 single student accommodation rooms (Sui Generis) to the existing student accommodation.
- 1.2. The ground floor will maintain existing use as Class-E office space as established in the approved scheme 2020/3698/P, while the new student units will be on the first floor, becoming a part of the existing student accommodation.
- 1.3. It would increase the student accommodation from 273 units and 439-bed spaces to 281 units and 447-bed spaces. The additional 8 rooms would be single-occupancy rooms (studios) with a size of 16 sqm, totaling a 172 increase in GIA. The internal room height in the rooms would be 2.4m. All of the rooms would be single-aspect and have their windows (which are presumably non-openable). None of the rooms would provide for disabled occupiers.
- 1.4. The large roller shutter will be replaced by a curtain wall glazing as per the approved scheme 2020/3698/P. This is to provide natural light and views out for the class E office space to the ground floor area that is currently the loading bay/goods yard. The curtain wall remains the same as per the approved scheme. The proposed ground floor plan remains as per the consented scheme, with most of the ground floor area as student accommodation use, Unit A as a B8 use space and Unit B as a Class E office. The office area will be maintained at 133 sqm.

1.5. The eight new studio units will be connected to the existing student accommodation and will be accessible through the main staircases and lifts of the existing accommodation.



Existing Cathcart Street elevation



Proposed Cathcart Street elevation

2. Assessment

2.1. The principal considerations material to the determination of this application are as follows:

- Land use (including affordable housing and standard of accommodation)
- Design
- Residential amenity
- Transport
- Sustainability

3. Land use

3.1. The principle of student accommodation on the site is acceptable as it has been consented and implemented. The proposal seeks to add further student accommodation.

3.2. Increase in student accommodation

3.3. The Local Plan supports the development of student accommodation provided it does not result in a harmful concentration of such uses in a local area or cause harm to residential amenity (Policy H9, clause j). The need to disperse student housing away from concentrated areas is in line with the London Plan and the Mayor's Housing SPG. In a local context, more than a third of students in Camden live in the area south of Euston Road. The next highest proportion of students live in Regents Park Ward 20%, compared with 11.4% across the borough overall.

3.4. At the 2011 appeal, the inspector concluded that the scheme (417 bed spaces) would not result in an intensification of student accommodation but would redress the social balance in the area by bringing the proportion of students in Kentish Town up to the Borough average.

3.5. The Local Plan recognises the importance in creating mixed, inclusive and sustainable communities. In some parts of Camden high concentrations of student accommodation can impact negatively on mixed and inclusive communities, and such concentrations are located in the south of the borough not in Kentish Town. The matter of student concentration and subsequent impacts has been a contentious issue on this site historically and has received objections from neighbouring residents and businesses.

3.6. The proposal would increase the student accommodation from 273 units and 439-bed spaces to 281 units and 447-bed spaces. This is an addition of 8 bed spaces over those approved under 2017/6786/P (a minor-material amendment of 2013/7130/P). This falls between the approved figure of 439 and the 550 dismissed at Public Inquiry under 2012/6548/P. To prevent a refusal based on the increase in student bed spaces, the applicant would need to demonstrate that this increase would not lead to unacceptable noise and disturbance locally.

3.7. The 447-bed spaces are under the 550 that was dismissed at appeal under 2012/6548/P. It would result in an increase of 30 beds over the scheme approved as part of the appeal under 2010/6039/P (417 spaces). Officers do not consider that this would result in a harmful over-concentration that would lead to unacceptable noise and disturbance locally. It is noted that this was not a reason for refusal under 2018/4871/P (42 beds) 2020/2406/P (27 beds) and the numbers have decreased with this application. The additional 8-bed spaces do not result in an overconcentration of student accommodation. This permission would be subject to the same student management plan as is secured under the existing legal agreement for the site.

3.8. Affordable student accommodation

3.9. Policy H9 aims to ensure that there is a supply of student housing available at costs to meet the needs of students from a variety of backgrounds. The requirement derives from the London Plan 2021 (policy H15) and section 3.9 of the Mayor's Housing SPG 2016. It arises from concern amongst higher education institutions and student bodies that high housing costs in London are harming their ability to attract students from less wealthy backgrounds and compete with institutions elsewhere.

3.10. Policy H9 (criterion g) of the Local Plan requires an undertaking in place to provide housing for students at one or more specific education institutions or otherwise provide a range of accommodation that is affordable to the student body as a whole. London Plan Policy H15 seeks "the maximum level" of affordable accommodation.

- 3.11. The requirement for affordable student accommodation would only apply to the uplift of the 8 additional rooms.
- 3.12. Officers consider that a payment-in-lieu of affordable housing, calculated in accordance with guidance, would be the most beneficial contribution that can be achieved in this instance. The payment-in-lieu contribution, the Housing CPG contribution rate of £5,000 per sqm is shown below.
- 3.13. The proposal would provide an additional 172 sqm GIA. The proportion of affordable student accommodation required is 4%. The payment required is calculated as follows: 172 sqm x 4% x £5,000 per sqm = **£34,400**
- 3.14. No signed undertaking exists for the new student accommodation to be linked to a specific educational institution from the planning history of the site. Consequently, there is a requirement for a commensurate provision of affordable student housing, in this case, by way of a contribution of £34,400. The legal agreement would secure the contribution of £34,400 of affordable student housing.
- 3.15. Standard of accommodation
- 3.16. The proposed student accommodation would contain single occupancy units, with a minimum floor area of 16 sqm maximum of 22 sqm per studio. The overall size of these units would be more than the 15.5 sqm minimum in the Camden Planning Guidance for a 1-person studio (double studio room is 17.5 sqm). The units will only be occupied by students in full or part-time higher education, forming a clause in the section 106 legal agreement.
- 3.17. The proposals have been improved since the refusal under 2018/4871/P, with the ceiling height no higher than 2.4m for all rooms. All of the proposed units would be single-aspect (with one window in one direction per studio), and the outlook from each room would be acceptable.

4. Design

- 4.1. Local Plan Policy D1 seeks to secure high-quality design in development which respects local context and character. Policy D2 states that the Council will preserve and enhance Camden's heritage assets and their settings, including conservation areas. The Council will not permit development that results in harm less than substantial to the heritage asset's significance unless the public benefits of the proposal significantly outweigh that harm.
- 4.2. The physical changes primarily occur internally on the first floor with no change to the scale and massing of the building. The external changes will be limited to the addition of four new windows to the façade in the Cathcart Street elevation and another four new windows facing the building's central courtyard.
- 4.3. Four proposed windows will be inserted on the first floor to allow daylight and views out of the proposed student rooms. The windows will follow the same alignment and orientation as the existing ones. The elevation material treatment is as per the existing white render to the external walls, metal mesh screen panels to the top floor, and curtain walling to the ground floor showroom.
- 4.4. Overall, the external changes are relatively minor and are acceptable in terms of design and visual appearance.

5. Residential Amenity

- 5.1. Policy A1 seeks to protect the quality of life of occupiers and neighbours by only granting permission for development that would not harm the amenity of residents. This includes factors such as privacy, outlook, implications to natural light, artificial light spill, and impacts caused by the construction phase of development. Policy A4 ensures that residents are not adversely impacted by noise or vibrations.
- 5.2. As discussed above in the land use section, adding 8 additional student bedrooms would not result in an overconcentration of student accommodation on the site. The permission would be subject to the existing Student Operational Management Plan to control potential disruption to neighbours being updated and resubmitted. The external alterations are minor and would not lead to an obstruction of light entering neighbouring windows.

6. Transport

- 6.1. Policy T2 seeks to limit the availability of parking and require all new developments in the borough to be car-free. The Council requires high quality cycle parking to be provided in accordance with Local Plan Policy T1, London Plan Policy T5.
- 6.2. The Committee report for 2020/3698/P makes little reference to the loss of the service yard other than to say that it was considered too small for a B8 warehouse occupier. All deliveries to the site will take place on-street, from the Holmes Road and Cathcart Street frontages.
- 6.3. The 8 new rooms should be secured as on-street Residents parking permit (car) free by means of a Section 106 Agreement.
- 6.4. The London Plan cycle storage standards for student accommodation for short stay is 1 space per 2 beds and for long stay is 1 space per 40 beds. The proposal provides 8 additional cycle parking spaces at the existing cycle store on the mezzanine level, which is policy compliant, and this is secured by condition.
- 6.5. The increase in student accommodation will result in no additional servicing trips over and above those already taking place in connection with the consented use of the site.
- 6.6. The application would be granted subject to a Pedestrian Cycling and Environmental improvements contribution of £8,000 to be secured by the Section 106 Agreement. This contribution will be used towards funding the Holmes Road Area Safe and Healthy Streets scheme, which aims to provide a safer environment for pedestrians and cyclists in the vicinity of the site.
- 6.7. The proposals are unlikely to lead to a material increase in the amount of servicing and deliveries to the student accommodation element of the site, and so a Servicing Management Plan is considered unnecessary for this application.
- 6.8. A draft Student Travel Plan has been submitted in support of the application. This would be secured through the Section 106 Agreement and the associated Monitoring and Measures contribution of £5,196. The Student Pick Up and Drop Off Management Plan is also recommended to be secured by S106.
- 6.9. The development's car-free status, in combination with secure cycle parking and the Student Travel Plan, will encourage site residents to use sustainable modes of travel. The 'Student Drop-Off and Pick-Up Scheme' will manage student drop-off and collection at key times of the year, i.e., during the start and end of the term. In summary, the increase in student accommodation will have no material, significant or detrimental impact on the surrounding highway network or the local public transport network.

6.10. A Construction Management Plan and associated Implementation Support Contribution of £4,194 and Impact Bond of £8,000 are not necessary for the scale of this development, which is largely internal. A highway contribution is not considered necessary for this development, as any damage to the adjacent carriageway will be covered by the scaffolding bond secured under the scaffolding licence process.

7. Sustainability

7.1. London Plan Policy SI2 sets a target of 35% carbon reduction over Part L building Regulations. In the Council's Energy Efficiency and Adaptation CPG (2021), there is a requirement for residential development of up to 500 sqm in the area to achieve carbon emission reductions 19% above Part L of 2013 Building Regulations targets and to employ renewable energy technologies where possible. Local Plan Policy CC1 sets a target of 20% CO2 reduction to be achieved through on-site renewable energy generation. Policy CC2 (Adapting to climate change) of the Local Plan requires all development to be resilient to climate change, including measures such as bio-diverse roofs. Policy CC3 (Water and flooding) requires new development to incorporate water efficiency measures.

7.2. The Energy & Sustainability Report, which has been submitted, sets out the range of measures which will be provided in accordance with the energy hierarchy (Be Lean, Be Green, Be Clean) to achieve enhanced carbon reduction emissions. A 37% reduction over the Part L (2021) baseline case is predicted. The installation of 27 kW of PV panels on the roof.

7.3. A bio-diverse roof is proposed at the roof level. A planning condition can control its specification, maintenance/management and performance. The water usage target of 105 litres/person/day would be secured by condition. As such, the proposal is considered to meet the carbon emission target and include a satisfactory range of sustainability measures in accordance with policies CC3, CC2 and CC1.

8. Recommendation

8.1. Grant planning permission subject to a S106 Legal Agreement

9. S106 Heads of Terms

- Permission tied to the original Student Management Plan at the site
- Affordable housing contribution of £34,400
- Car-free development
- A Pedestrian Cycling and Environmental improvements contribution of £8,000
- Student Travel Plan and associated Monitoring and Measures contribution of £5,196
- The Student Pick-Up and Drop-Off Management Plan

DISCLAIMER

The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 17th June 2024, nominated members will advise whether they consider this application should be reported to the Planning Committee. For further information, please go to www.camden.gov.uk and search for 'Members Briefing'.

Application ref: 2024/0094/P
Contact: Josh Lawlor
Tel: 020 7974 2337
Date: 12 June 2024

Development Management
Regeneration and Planning
London Borough of Camden
Town Hall
Judd Street
London
WC1H 9JE

Phone: 020 7974 4444

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

SM Planning
80 - 83 Long Lane
London
EC1A 9ET

Dear Sir/Madam

DRAFT
FOR INFORMATION ONLY - THIS IS NOT A FORMAL DECISION
Town and Country Planning Act 1990 (as amended)

DECISION SUBJECT TO A SECTION 106 LEGAL AGREEMENT

Address:
65 - 69 Holmes Road
London
NW5 3AN

Proposal:
Division of the existing internal double height E(g) office space into two separate storeys to create 8 additional student accommodation rooms.
Drawing Nos:

DECISION

The Council has considered your application and decided to grant permission subject to the conditions and informatives (if applicable) listed below **AND** subject to the successful conclusion of a Section 106 Legal Agreement.

The matter has been referred to the Council's Legal Department and you will be contacted shortly. If you wish to discuss the matter please contact **Aidan Brookes** in the Legal Department on **020 7 974 1947**.

Once the Legal Agreement has been concluded, the formal decision letter will be sent to you.

Condition(s) and Reason(s):

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

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

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans and documents: 220900(GA)P085, 220900-A(GA)110, 220900(GA)P300, 220900(GA)P310, 220900(GA)P400, 190910(GA)P401, 220900(GA)P100, 190810(GA)P300, 190810(GA)P302, 220900(SO)400, 190810(GA)P100, 220900(SO)110, 220900(SO)300, 220900(SO)310, 220900(SO)100

231030_65-69 Holmes Road Travel Plan final, 231030_65-69 Holmes Road Transport Statement, 231030_65-69 Holmes Road Student Pickup Final, Energy and Sustainability Statement dated May 2024

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

- 3 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

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

- 4 The secure and covered cycle storage area for 16 cycles shall be provided in its entirety in accordance with drawing number 220900A(GA)P085 prior to the first occupation of any of the new units, and permanently retained thereafter.

Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of policy T1 of the London Borough of Camden Local Plan 2017.

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

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

- 6 Prior to commencement of development , full details in respect of the living roof in the area indicated on the approved roof plan shall be submitted to and approved by the local planning authority. The details shall include
 - i. a detailed scheme of maintenance
 - ii. sections at a scale of 1:20 with manufacturers details demonstrating the construction and materials used showing a variation of substrate depth with peaks and troughs
 - iii. full details of planting species and density

The living roofs shall be fully provided in accordance with the approved details prior to first occupation and thereafter retained and maintained in accordance with the approved scheme.

Reason: In order to ensure the development undertakes reasonable measures to take account of biodiversity and the water environment in accordance with policies G1, CC1, CC2, CC3, D1, and A3 of the London Borough of Camden Local Plan 2017.

- 7 Prior to commencement of above ground works, drawings and data sheets showing the location, extent of 63 panels and predicted energy generation of photovoltaic cells for at least energy generation capacity 27kWp and associated equipment to be installed on the building shall have been submitted to and approved by the Local Planning Authority in writing. The measures shall include the installation of a meter to monitor the energy output from the approved renewable energy systems. A site-specific lifetime maintenance schedule for each system, including safe roof access arrangements, shall be provided. The cells shall be installed in full accordance with the details approved by the Local Planning Authority and permanently retained and maintained thereafter.

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

Informative(s):

- 1 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (tel: 020-7974 6941).

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>.

Yours faithfully

Supporting Communities Directorate