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## Appeal Decision

Inquiry Held on 21-24 & 28 May 2024

Site visit made on 24 May 2024

**by T Burnham BA (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 05/07/2024

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**Appeal Ref: APP/X5210/W/24/3337347**

**Alpha House, Regis Road, Camden, London NW5 3EW**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr Simon Allen (Big Yellow Self Storage Company Limited) against the decision of the Council of the London Borough of Camden.
  - The application Ref 2023/0093/P, dated 9 January 2023, was refused by notice dated 25 August 2023.
  - The development proposed is Demolition of the existing building and the construction of a self-storage facility (Use Class B8) and flexible office space (Use Class E(g)(i)), together with vehicle and cycle parking and landscaping.
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### Decision

1. The appeal is allowed. Planning permission is granted for Demolition of the existing building and the construction of a self-storage facility (Use Class B8) and flexible office space (Use Class E(g)(i)), together with vehicle and cycle parking and landscaping at Alpha House, Regis Road, Camden, London NW5 3EW, in accordance with the terms of the application Ref 2023/0093/P, dated 9 January 2023 and subject to the conditions set out in the attached schedule.

### Procedural Matters

2. The Council originally refused the application on ten grounds. They later confirmed within their statement<sup>1</sup> that refusal reason three, relating to whether substantial demolition is justified, had been addressed. That reason for refusal was not carried forward to the Inquiry.
3. Further refusal reasons relating to sustainability and energy, car free development, a construction management plan, a carbon offset contribution, travel plan, employment and training package and affordable SME workspace have been addressed. The Council confirmed within their statement that these refusal reasons could be addressed via the submission of a completed planning obligation. That was received after the close of the Inquiry and as a consequence refusal reasons four through to ten were not pursued at the Inquiry. I address later the extent to which that obligation meets the tests<sup>2</sup>.
4. The building would be five storeys in height and would provide 566m<sup>2</sup> of office space and 3521m<sup>2</sup> of self-storage space. However, the appellant, on

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<sup>1</sup> Core Doc 8.1 LPA Statement of Case.

<sup>2</sup> Regulation 122(2) of the Community Infrastructure Levy Regulations 2010 (CIL Regulations) and Paragraph 57 of the National Planning Policy Framework.

completion of the building intends to provide additional self-storage at first, third and fourth floor level through the provision of demountable mezzanine floors. These floors are identified on the plans<sup>3</sup> for indicative purposes only, but if provided would see the provision of self-storage floorspace within the building increase to 8,997 square metres<sup>4</sup>.

## **Main Issues**

5. The first main issue is the effect of the proposed building on the character and appearance of the area, with particular regard to the height, mass, footprint, and detailed design of the proposed building.
6. The second main issue is the effect of the proposal when considered in isolation as part of the Kentish Town Regis Road Growth Area on the development strategy for the area.

## **Reasons**

### *Planning policy context*

7. The most important policies are D1 (Design), E1 (Economic Development), G1 (Delivery and Location of Growth), and H1 (Maximising Housing Supply) of the Camden Local Plan (2017) (CLP) and policies D3, SP2 and SP2A of the Kentish Town Neighbourhood Forum Neighbourhood Plan (2016) (KTNP). Both documents<sup>5</sup> form part of the development plan relevant to the area and are quoted within the Council's reasons for refusal.
8. The appellant suggests that Policy G1 of the CLP should be afforded lesser weight than the other policies identified as being relevant to this appeal<sup>6</sup>. The Policy relates to the delivery and location of growth within Camden. The first part of the Policy outlines the manner in which the Council will deliver growth through securing high quality development and promoting the most efficient use of land and buildings in Camden. The second part of the Policy amongst other things identifies locations within the borough where the most significant growth is expected to occur including at Kentish Town Regis Road.
9. The principles of this Policy are consistent with the Framework<sup>7</sup> at part 6 which relates to building a strong, competitive economy. Even if growth over the plan period has not been as expected at Regis Road, that is only one location amongst many within the Borough identified within the Policy, and there is little evidence before me to indicate the extent of development that has occurred within those other areas. I do not therefore consider Policy G1 of the CLP to be out of date given that it does not solely relate to Regis Road, and that it is relevant to other parts of the Borough.
10. There is also an emerging plan<sup>8</sup>, the most relevant policies of which are DS1 (Delivering Healthy and Sustainable Development), IE2 (Offices), C1 (Central Camden) and Site Allocations Policy C2 (Regis Road and Holmes Road Depot) but it was agreed by the parties that this plan should be afforded limited weight

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<sup>3</sup> First Floor Plan as proposed – 2314-P03, Third Floor Plan as proposed – 2314-P05, Fourth Floor Plan as proposed – 2314-P06.

<sup>4</sup> Core Doc 11.1 Appellant Statement of Case.

<sup>5</sup> Core Docs 4.2 & 5.3.

<sup>6</sup> Core Doc 7.1 Proof of evidence Andrew Deller.

<sup>7</sup> National Planning Policy Framework 2023.

<sup>8</sup> Draft New Camden Local Plan Regulation 18 Consultation Version January 2024.

given its stage in development. I agree with this position and have given it limited weight in my decision.

### *Character and appearance*

11. The evidence indicates that the existing character and appearance of Regis Road is one of a generic industrial estate with some residential accommodation on the borders. The character is rather anonymous with buildings and sites within various levels of use although the United Parcel Service (UPS) site in the northeast of the area, although only a snapshot in time, was busy with departing vans at the time of my visit on a weekday morning. The character is further one mainly of employment and interested parties identified the presence of kitchens preparing food for delivery with changing occupants contributing to an anonymous character.
12. In terms of appearance, the buildings are generally of mixed materials, including some brickwork and cladding. The buildings within the area are of varied height, although the precedent is set for development of around 5 storey height to the south of the appeal site by reason of the presence of Mary Brancker House, and other adjacent residential accommodation. The manner in which the existing buildings engage with the street does vary, but many of the buildings fronting Regis Road engage with the street through windows at first floor level.
13. The building proposed would have a rather utilitarian and brand orientated appearance, with its operational and internal requirements playing a key role in its design. The National Design Guide<sup>9</sup> references that successful streets are characterised by buildings facing the street to provide interest, overlooking and active frontages at ground level.
14. The materials would be acceptable within the context of a mixture of existing materials, while use of colour on the building would merely be a continuation of the finishing on the prominent Mary Brancker house opposite the appeal site. The building would broadly reflect the height of this existing building.
15. Despite the location of the main access to the building, which for operational reasons, would be associated with the service yard to the side, the provision of an access to the offices and office space along the first and second floors of the building fronting onto Regis Road would enable views out from and into the building and would provide an acceptable level of activity within the street scene despite the provision of trees.
16. The proposed building would therefore be of an acceptable scale and appearance, having regard to the site's context and I therefore conclude on this main issue that there would be no harm to the character or appearance of the area. There would subsequently be no conflict with Policy D1 of the CLP or Policy D3 of the KTNP which amongst other things require that development respects local context and character and comprises details and materials that are of high quality and compliment the local character.

### *Development strategy*

17. Regis Road is identified by the Council as a growth area. Camden Film Quarter/Yahoo Capital (YC CFQ Ltd) are the development partner of the

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<sup>9</sup> National Design Guide – Ministry of Housing, Communities & Local Government, P69.

- Borough for the area with aspirations to redevelop the area as a film quarter. In refusing permission for the proposal, the Council noted that they sought comprehensive development delivered through a masterplan led approach.
18. Policy G1 of the CLP, amongst other things, requires that development within the growth areas should be consistent with the area's priorities and principles set out within the text that follows the main body of the policy. With regard to Regis Road the text indicates that redevelopment will only be considered where this is part of a comprehensive scheme.
  19. However, despite the Local Plan dating from 2017, no masterplan exists for Regis Road. Previous work undertaken has failed to deliver a masterplan<sup>10</sup>, whilst work undertaken by the Council's development partner for the area with regard to the formulation of a masterplan does not appear to be at an advanced stage<sup>11</sup>. The Council has entered into a planning performance agreement<sup>12</sup> with YC CFQ Ltd which sought as one option to have a masterplan in place by June 2024.
  20. Furthermore, a substantial section of the Growth area is occupied by UPS who due to the nature of their operations appear to have very specific requirements and appear to be content to continue to operate from the site on the basis that they are currently<sup>13</sup>. Should the Council look to pursue the compulsory purchase route to assemble sites for redevelopment, the timescales are uncertain and these could be extensive.
  21. On the basis of the evidence, the ongoing lack of a masterplan is highly problematic and I cannot be confident as to when one will be in place for Regis Road. Development proposals cannot be expected to accord with a masterplan which does not exist, and whilst a masterplan led approach is clearly an appropriate way in which to manage development across a defined area, the lack of a masterplan for Regis Road could be holding back development of priority uses in the area.
  22. The Council also indicated that they are expecting a planning application to be submitted later in the year that only relates to parts of the growth area and therefore in and of itself, that would not form a comprehensive scheme.
  23. Nonetheless, the proposal before me is not presented as part of a comprehensive scheme and there is therefore a degree of conflict with Policy G1 of the CLP and policies SP2 and SP2A of the KTNP which support this approach. There would also be some conflict with the Kentish Town Planning Framework (2020) (KTPF), as well as the emerging plan which require the same type of approach.
  24. I now turn my attention to whether the proposal would undermine the intentions for the area as part of a future development strategy. One potential development strategy for the area<sup>14</sup> entailed the provision of a new service road to the south of the UPS building in order to allow for HGV's to be removed from Regis Road and to facilitate a transformation from industrial estate service road to a City Street.

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<sup>10</sup> Core Doc 8.9 Regis Road Study 5<sup>th</sup> Studio 2021.

<sup>11</sup> Core Docs 8.31, 8.32 & 8.35 Yoo Capital Materials.

<sup>12</sup> Core Doc 8.21 Planning Performance Agreement Yoo Capital and LB Camden.

<sup>13</sup> Core Doc 13.8 UPS Statement.

<sup>14</sup> Core Doc 8.9 Regis Road Study 5<sup>th</sup> Studio 2021 & Core Doc 8.4 Tom Holbrook Proof of evidence.

25. However, it is not clear that this is a firm intention given that there is no masterplan. Further, the land on which that road would be accommodated is included within the UPS site, who appear content with their current operation as it is.
26. It is clear that Regis Road is currently poorly connected to the surrounding area, being hemmed in by railway lines to the north and west. The entry and exit point to the site is from the junction of Regis Road with Kentish Town Road. There are aspirations to significantly improve links, with Regis Road acting as a civic spine on an east/west orientation. The placement of the building would not compromise this principle, given the reasonably wide carriageway that is available to the immediate south of the proposed building, along with the landscape buffer.
27. There is nothing to indicate that the height of the building as proposed would be unacceptable within any future context with regard to either the 5<sup>th</sup> Studio study or the KTPF. Although the height strategy for the building does not appear to have accounted for the possibility of the height of the building increasing whilst stepping back from Regis Road, it has been sensibly informed by a daylight and sunlight assessment<sup>15</sup> and the desire to minimise impact on the living conditions of existing occupiers at Mary Brancker House.
28. Whilst housing is a key priority within the area, the Council acknowledges that it is not required on each and every plot within the growth area<sup>16</sup>. The appeal site encompasses only a very small part of the growth area and there is nothing to indicate that the lack of housing provision on this site would undermine the intention to deliver a significant amount of housing elsewhere within the growth area.
29. The proposal would provide a significant increase in floorspace over and above the existing single storey building on the site even without the demountable mezzanine floors, which cannot be guaranteed, but which I am advised have been inserted into all of the appellant's previous development schemes. The Council accepted at the Inquiry that they considered the mezzanine floors would be delivered. The building would, therefore, make an efficient use of the site.
30. The future character and appearance of the area is unknown given the lack of a masterplan, but there is nothing on the basis of the evidence before me to indicate that the proposal would have any unacceptable impact in this regard.
31. I therefore conclude on this main issue that the proposal when considered in isolation as part of the Regis Road Growth Area would not undermine the development strategy for the area. The proposal would make an efficient use of the site and would have no significant adverse impact on the character and appearance of the area having regard to the development strategy.
32. There would therefore be no conflict with policies E1 or H1 of the CLP. Amongst other things these policies seek to create conditions for economic growth including by supporting businesses of all sizes and by maximising the supply of housing.

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<sup>15</sup> Daylight and Sunlight Assessment GIA July 2022.

<sup>16</sup> Core Doc 8.2 Kristina Smith proof of evidence.

33. There would be a degree of conflict with Policy G1 of the CLP and policies SP2 and SP2A of the KTNP along with the KTPF as well as the emerging plan. However, based on the circumstances of this site and the proposal before me, the scheme would not undermine the comprehensive redevelopment of the Kentish Town Regis Road growth area at some future date. I assess the overall planning balance later in my decision.

#### *Planning Obligation*

34. A completed planning obligation between the appellant and the Council has been submitted which secures Sustainability and Energy Criteria, Car free development, a Construction Management Plan, a Carbon off set contribution, Local Level Travel Plan and financial contributions for the associated monitoring, a local employment and training package and affordable workspace for SMEs.
35. The evidence indicates that these are necessary to make the development acceptable in planning terms. They are directly related to the development and fairly and reasonably related in scale and kind to the development. These parts of the planning obligation meet the tests.
36. However, where the obligation relates to the potential removal of the fence and grant of easement on the northern side of the appeal site, it does not accord with all the tests. This is because whether such a northern access road will be provided is unknown in the absence of a masterplan which could dictate this approach. I cannot therefore be certain that there would be any need for that fence to be removed or easement provided to facilitate a service road which may or may not come to fruition. This aspect of the obligation is therefore not necessary to make the development acceptable in planning terms. The obligation includes a 'blue pencil' clause such that this aspect of the obligation does not have effect given it does not meet the tests

#### **Other Matters**

37. There is nothing to indicate that there is no demand within the area for the proposal and the evidence indicates that the nearby Big Yellow premises at Kings Cross will likely be substantially full by the time this site was operational. There is nothing within the evidence to indicate that the proposal would give rise to any unacceptable levels of traffic or pollution.

#### **Conditions**

38. I have considered the draft conditions submitted by the Council against the advice in paragraph 56 of the Framework, the Planning Practice Guidance and in the light of the discussions at the Inquiry. In the interests of precision and enforceability I have amended some wording where appropriate.
39. Conditions, including a time limit for commencement and the compliance with approved plans as well as restrictions on the use proposed are necessary to define the development. Condition 3 is necessary to ensure proper drainage of the site. Conditions 13 and 14 are necessary in the interests of the living conditions of those in the area. Condition 5 is necessary in the interests of the character and appearance of the area. Conditions 6 and 17 are necessary to support the use of more sustainable forms of transport and in the interests of highway safety. Conditions 7 and 12 are necessary to benefit biodiversity. Condition 8 is necessary to support sustainable energy creation at the site.

Condition 9 is necessary in the interests of the safety of those using the site. Conditions 10 and 11 are necessary in the interests of the character and appearance of the area. Condition 15 is necessary in the interests of sustainable development. Conditions 4 and 16 are necessary to control emissions and limit air pollution. The demountable mezzanine floors are identified on the plans for indicative purposes and no further clarification of this matter is necessary.

### **Planning Balance and Conclusion**

40. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the development plan unless material considerations, which include the Framework, indicate otherwise.
41. Given my conclusion that Policy G1 of the CLP is not out of date, it therefore follows that the basket of policies that are most important for determining the application are not out of date. Subsequently, paragraph 11.d) of the Framework is not relevant to the appeal.
42. There is nothing to indicate that the proposal would undermine the overall development strategy for the area given the significant uncertainty as to the manner in which development would be provided at Regis Road given the lack of a masterplan for the site.
43. Nonetheless, there would be a degree of conflict with Policy G1 of the CLP and policies SP2 and SP2A of the KTNP as well as the Kentish Town Planning Framework and the emerging plan which advocate development at Regis Road as part of a comprehensive scheme. However, there is nothing to indicate that with regard to this particular proposal any significant harm would arise to the wider envisaged redevelopment of Regis Road as far as it can be understood at this point in time.
44. The proposal would represent an intensification of commercial floorspace at the site. I have no reason to believe that the additional floorspace that would be created by the mezzanine floors would not be provided, but even on the basis of the permanent floor space proposed there would be an intensification.
45. Whilst accepting some of the weaknesses of the Big Yellow customer survey identified by the Council relating to matters including survey uptake and the wording of its questions, its findings should nonetheless be afforded some weight, particularly in the absence of substantial opposing evidence.
46. Therefore, whilst direct jobs as a result of the scheme would be limited, there is the potential for a substantial number of indirect jobs to be supported by the services available at such a site and a likelihood that the scheme will provide support to start ups and small and medium enterprises. The number of jobs supported would be likely to grow as uptake on the premises increases. Storage at the site would also be likely to be taken up on a private basis, which would no doubt be valuable to existing and future residential occupiers in the area. Storage is likely to be a useful service in support of any future film quarter. The scheme would generate a biodiversity net gain of 14.8%.
47. I afford the benefits of the scheme substantial weight, and they outweigh the harm that would arise as a result of the conflict with the development plan. Considerations indicate that the appeal should be determined otherwise than in

accordance with the development plan. I therefore conclude that the appeal should be allowed.

*T Burnham*

INSPECTOR

### **SCHEDULE OF CONDITIONS**

1. This development must be begun not later than three years from the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan – 2314-L01, Site Plan as existing - 2314-X02, Site Plan as proposed 2314-P01, Ground Floor Plan as proposed – 2314-P02, First Floor Plan as proposed – 2314-P03, Second Floor Plan as proposed – 2314-P04, Third Floor Plan as proposed – 2314-P05, Fourth Floor Plan as proposed – 2314-P06, Roof Plan as proposed – 2314-P07-A, Section AA as proposed – 2314-P08, East and South Elevation as proposed 2314-P09A, West and North Elevation as proposed 2314-P10-A, L001 – P4 (Landscape Plan), L002 – P3 (Landscape Plan) & L003 – Planting specification.
3. Prior to commencement of development, full details of the sustainable drainage system (Filter drains 3m<sup>3</sup>, bioretention/tree pits 14.1m<sup>3</sup>, permeable pavements 4.6m<sup>3</sup>, attenuation tank 157m<sup>3</sup>. (Total: 178.7m<sup>3</sup>)) shall be submitted to and approved in writing by the Local Planning Authority. Such a system should be designed to accommodate all storms up to and including a 1:100 year storm with a 40% provision for climate change such that flooding does not occur in any part of a building or in any utility plant susceptible to water, or on any part of the entire development site for up to and including a 1:30 year storm. The details shall demonstrate a site run-off rate conforming to the greenfield run-off rate or other rate l/s approved by the Local Planning Authority. An up-to-date drainage statement, SuDS proforma, a lifetime maintenance plan and supporting evidence should be provided including:
  - i) The proposed SuDS or drainage measures including storage capacities
  - ii) The proposed surface water discharge rates or volumes
  - iii) Clarification of why 2810m<sup>2</sup> has been used for the Gross Area in the Micro-drainage calculations, rather than the full site area which is 3603m<sup>2</sup>.
  - iv) An updated SuDS proforma to reflect the drainage strategy with regards to the impermeable area and existing runoff rates. The proposed attenuation volumes in the SuDS proforma should also be updated to reflect the micro-drainage calculations.

The sustainable drainage System shall thereafter be retained and maintained in accordance with the approved details.



4. No demolition or development shall commence until all the following have been complied with:
  - a) prior to their installation full details of two air quality monitors shall have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the location and specification of the monitors, including evidence of the fact that they will be installed in line with guidance outlined in the GLA's Control of Dust and Emissions during Construction and Demolition Supplementary Planning Guidance; and
  - b) A confirmation email should be sent to [airquality@camden.gov.uk](mailto:airquality@camden.gov.uk) no later than one day after the monitors have been installed with photographic evidence in line with the approved details; and
  - c) Prior to commencement of development, a baseline monitoring report including evidence that the monitors have been in place and recording valid air quality data for at least 3 months prior to the proposed implementation date shall be submitted to the Local Planning Authority and approved in writing.

The monitors shall be retained and maintained on site in the locations agreed with the Local Planning Authority for the duration of the development works, monthly summary reports and automatic notification of any exceedances shall be provided in accordance with the details thus approved. Any changes to the monitoring arrangements must be submitted to the Local Planning Authority and approved in writing.

5. Prior to the demolition of the existing building, tree protection measures shall be installed and working practices adopted in accordance with the document entitled BS5837:2012 Impact Assessment, Method Statement and Planting Scheme ref. 011092 dated 23rd May 2023 by Crown Tree Consultancy. All trees on the site, unless shown on the permitted drawings as being removed, shall be retained and protected from damage in accordance with BS5837:2012 and with the approved protection details. The development shall be monitored by the project arboriculturalist in accordance with the approved report.
6. Prior to the commencement of above ground works on the new building, details of the provision to be made for cycle parking shall be submitted to and approved in writing by the Local Planning Authority. The details shall include:
  - i) For Office use – 4 long stay and 4 short stay spaces
  - ii) For Storage use – 8 long stay and 10 short stay including provision of surface-mounted or retractable ground anchors to accommodate cargo bikesThe cycle parking shall thereafter be implemented in full in accordance with the approved details before the first occupation of the new building and shall thereafter be retained solely for its designated use.
7. Prior to commencement of above ground works on the new building, full details in respect of the living roof 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 manufacturer's details demonstrating the construction and materials used; and

iii) full details of planting species and density

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

8. Prior to commencement of above ground works on the new building, drawings and data sheets showing the location, extent and predicted energy generation of photovoltaic cells and associated equipment to be installed on the building shall have been submitted to and approved by the Local Planning Authority in writing. The measures shall include the installation of a meter to monitor the energy output from the approved renewable energy systems. A site-specific lifetime maintenance schedule for each system, including safe roof access arrangements, shall be provided. The cells shall be installed in full accordance with the details approved by the Local Planning Authority prior to occupation of the building and permanently retained and maintained thereafter.
9. No development other than the demolition of the existing building shall commence until a site investigation is undertaken and the findings are submitted to and approved in writing by the Local Planning Authority. The site investigation should assess all potential risks identified by the desktop study and should include a generic quantitative risk assessment and a revised conceptual site model. The assessment must encompass an assessment of risks posed by radon and by ground gas. All works must be carried out in compliance with LCRM (2020) and by a competent person.

No development (except for demolition) shall commence until a remediation method statement (RMS) is submitted to and approved in writing by the Local Planning Authority. This statement shall detail any required remediation works and shall be designed to mitigate any remaining risks identified in the approved quantitative risk assessment. This document should include a strategy for dealing with previously undiscovered contamination. All works must be carried out in compliance with LCRM (2) and by a competent person.

Following the completion of any remediation, a verification report demonstrating that the remediation as outlined in the RMS has been completed should be submitted to, and approved in writing, by the Local Planning Authority. This report shall include (but may not be limited to): details of the remediation works carried out; results of any verification sampling, testing or monitoring including the analysis of any imported soil and waste management documentation. All works must be carried out in compliance with LCRM (2020) and by a competent person.

10. Detailed drawings, or samples of materials as appropriate, in respect of the following shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of above ground works on the new building.
  - a) Plan, elevation and section drawings of all external windows, brise soleils and doors at a scale of 1:10;

b) Sample panel of all facing materials including proposed brickwork to show type, colour, bond, mortar mix, joint and pointing to be provided on site; and

c) Details of the external lighting strategy, including detailed drawings of light fittings, location and luminance levels.

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

11. No above ground works on the new building shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall cover:

a) Hard landscaping to include surface materials, stairs, ramps, balustrades and new boundary treatments); proposed and existing functional services above and below ground; and

b) Soft landscaping details to supplement those hereby approved (drawing no's L001-P4 and L002-P3) to include a landscape management plan that includes details of the measures that will be taken to ensure the successful establishment of all planting. All planting included within the above specification shall accord with BS3936:1992, BS4428:1989 and BS8545:2014 (or subsequent superseding equivalent) and current arboricultural best practice.

c) All hard and soft landscaping works shall be carried out in accordance with the approved landscape details by not later than the end of the planting season following completion of the development. Any trees or areas of planting which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced as soon as is reasonably possible and, in any case, by not later than the end of the following planting season, with others of similar size and species, unless the Local Planning Authority gives written consent to any variation

12. Prior to above ground works on the new building, details of four bird and two bat boxes to be incorporated into the fabric of the building shall be submitted to and approved in writing by the Local Planning Authority. The details shall include location (including height and aspect), types of box and indication of species to be accommodated. The boxes shall be installed in accordance with the approved plans prior to the occupation of the building, and thereafter retained for the lifetime of the development.

13. Prior to the installation of any machinery, plant or equipment and ducting on the new building, each item shall be mounted with proprietary anti-vibration isolators and fan motors shall be vibration isolated from the casing and adequately silenced and maintained as such for lifetime of the development.

14. The external noise level emitted from plant, machinery or equipment with specified noise mitigation at the development hereby approved shall be lower than the lowest existing background noise level by at least 10dBA, by 15dBA where the source is tonal, as assessed according to BS4142:1997 at the nearest and/or most affected noise sensitive premises, with all machinery operating together at maximum capacity.

15. The demolition hereby approved shall divert at least 95% of demolition 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. Prior to the first occupation of the new building, evidence demonstrating that this has been achieved shall be submitted to and approved in writing by the Local Planning Authority.
16. No non-road mobile machinery (NRMM) shall be used on the site unless it is compliant with the NRMM Low Emission Zone requirements (or any superseding requirements) and until it has been registered for use on the site on the NRMM register (or any superseding register).
17. The car park area in the self-storage service yard (as shown on drawing ref. 2314-P01) shall be used by customers of the self-storage facility (B8) only.
18. The premises shall be used for self-storage (Class B8) and any distribution associated with the self-storage use and use class E(g)(i) but for no other purpose (including any other purpose in Class B8 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and reenacting that Order with or without modification).

## **APPEARANCES**

### FOR THE APPELLANT

Isabella Tarfur, instructed by Andrew Deller (DWD)

She called

David Scanlon

Barney Stringer

Andrew Deller

### FOR THE LOCAL PLANNING AUTHORITY

Morag Ellis KC, instructed by Egle Gineikiene (Solicitor) London Borough of Camden

She called

Kristina Smith

Gavin Sexton

Tom Holbrook

## INTERESTED PARTIES

Henry Herzberg - Bartholomew Area Residents Association

Ian Grant - Kentish Town Neighbourhood Forum

David Jockelson – Inkerman Area Residents Association

Caroline Hill – Kentish Town Road Action

Alice Brown – Climate Emergency Camden

Joanna Chow – Local Resident

Tom Young – Local Resident

Judith Leeb – Local Resident

## **DOCUMENTS SUBMITTED DURING THE INQUIRY**

1. Appellant opening submission.
2. London Borough of Camden opening submission.
3. Draft Planning Obligation.
4. Agreed Draft Planning Conditions.
5. London Borough of Camden Closing submission.
6. Appellant Closing submission.

## **DOCUMENTS SUBMITTED AFTER THE INQUIRY**

1. Completed Planning Obligation & Associated Plans.