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| Delegated Report | | Analysis sheet | | Expiry Date: | | 08/03/2013 | |
| | | N/A | | Consultation Expiry Date: | | 05/02/2013 | |
| Officer | | | | Application Number(s) | | | |
| Gideon Whittingham | | | | 2013/0181/P | | | |
| Application Address | | | | Drawing Numbers | | | |
| 61 - 63 Holmes Road London NW5 3AN | | | | Refer to Notice | | | |
| PO 3/4 | Area Team Signature | C&UD | Authorised Officer Signature | | | | |
| | | | | | | | |
| Proposal(s) | | | | | | | |
| Details of noise from external sources required by condition 16 for Planning Permission 2011/0201/P determined under appeal (APP/X5210/A/11/2163152) on 12/03/2012 for: 'The erection of a 5 storey plus basement building comprising light industrial (Use class B1) at basement and ground floor levels and residential (Use class C3) at 1st, 2nd, 3rd and 4th floors (5 x 1bed and 3 x 2bed units) following demolition of existing building. | | | | | | | |
| Recommendation(s): | | Refuse approval of details | | | | | |
| Application Type: | | Approval of Details | | | | | |
| Conditions or Reasons for Refusal: | | Refer to Decision Notice | | | | | |
| Informatives: | | | | | | | |
| Consultations | | | | | | | |
| Adjoining Occupiers: | No. notified | 00 | No. of responses | 00 | No. of objections | 00 | |
| | | | No. electronic | 00 | | | |
| Summary of consultation responses: | | No responses were received. | | | | | |
| CAAC/Local groups comments: | | The site is not in a conservation area. | | | | | |
| Site Description | | | | | | | |
| <p>The site is located on the south side of Holmes Road off Kentish Town Road. The existing buildings consist of two storey Victorian properties with commercial floorspace at ground floor level and residential to the upper floor. The building has two frontages onto Holmes Road as they are situated on a corner, the main frontage faces north west and a smaller frontage faces north east. The adjacent properties at 55-57 and 65-69 Holmes Road form the south eastern and south western boundaries of the site.</p> <p>The area is characterised by a variety of building sizes and uses, including mixed-use (business and residential) buildings of up to six storeys. Historically Holmes Road has been an employment area but recent developments have brought about a significant proportion of residential uses. There is a Council housing block to the west at no.76 Holmes Road, a student housing block to the north at 54 - 74 Holmes Road, recently constructed residential block to the north at 74a Holmes Road and a residential block to the south east at 55-57 Holmes Road. 65-69 Holmes Road has gained permission</p> | | | | | | | |

for a 6 storey (above ground) student accommodation and commercial floorspace scheme (allowed December 2011, ref 2010/6039/P)

The buildings are not listed or within a conservation area but the Inkerman Conservation area lies to the south. The Kentish Town Industry Area lies immediately to the north of the site and the Kentish Town District Shopping and Service Centre is 200m to the east.

Relevant History

2011/0201/P: Refused consent then subsequently allowed on appeal (ref: APP/X5210/A/11/2163152) on 12/03/2012 – Outline application for the erection of a 5 storey plus basement building comprising light industrial (Use class B1) at basement and ground floor levels and residential (Use class C3) at 1st, 2nd, 3rd and 4th floors (5 x 1bed and 3 x 2bed units) following demolition of existing building (furniture repair Class B1 and residential Class C3) (application seeks permission for scale, layout and access only and not appearance of the building or landscaping). The Inspector attached the following relevant conditions to the decision:

16) The development hereby permitted shall not be occupied until a scheme for protecting the proposed dwellings from noise from external sources has been submitted to, and approved in writing by, the local planning authority. The scheme shall include sound insulation and attenuated ventilation to ensure that noise from external sources shall not exceed the following levels:

- Living Rooms 35dBLAeq 16hrs 07.00 to 23.00 hours
- Bedrooms 30dBLAeq 8hrs 23.00 to 07.00 hours

The approved scheme shall be implemented before each dwelling is occupied and shall thereafter be retained.

This appeal decision is addressed in this report. The conclusions reached by the Inspector are material to assessment of the current application.

Relevant policies

National and Regional Policy

National Planning Policy Framework 2012

London Plan 2011

LDF Core Strategy and Development Policies

CS5 (Managing the impact of growth and development)

CS14 (Promoting high quality places and conserving our heritage)

DP24 (Securing high quality design)

DP25 (Conserving Camden's heritage)

DP26 (Managing the impact of development on occupiers and neighbours)

DP28 (Noise and vibration)

Camden Planning Guidance 2011: CPG6 Amenity

Assessment

1. Proposal:

1.1 The application proposes the approval of reserved matters attached to ref: 2011/0201/P, namely:

- Details of noise from external sources required by condition 16

1.2 The main issue for consideration is therefore:

- Amenity

1.3 The applicant has submitted an environmental noise survey and impact assessment with which includes calculations of predicted noise levels to support compliance with the following levels:

- Living Rooms 35dBLAeq 16hrs 07.00 to 23.00 hours
- Bedrooms 30dBLAeq 8hrs 23.00 to 07.00 hours

1.4 The acoustic report has calculated the level of sound attenuation that is required for each of the building components. The report has made recommendations for specific components which can meet the required attenuation levels, including door seal specifications considered compliant.

1.5 The Inspectors attached condition however, also makes specific reference to the attenuation of ventilation, for which the applicant has failed to adequately demonstrate compliance.

Conclusion

The submitted details are insufficient to discharge condition 16. Furthermore, the proposed measures would fail to protect the proposed dwellings from noise from external sources. Consequently the proposed details would be contrary to LDF policies (CS5) Managing the impact of growth and development, (CS14) Promoting high quality places and conserving our heritage and (DP26) Managing the impact of development on occupiers and neighbours.

Recommendation: Refuse reserved matters relating to Condition 16.

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