

<b>Delegated Report (Members Briefing)</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>	<b>07/11/2012</b>
		N/A		<b>Consultation Expiry Date:</b>	<b>05/10/2012</b>
<b>Officer</b>			<b>Application Number(s)</b>		
Gideon Whittingham			2012/4056/P		
<b>Application Address</b>			<b>Drawing Numbers</b>		
61 Holmes Road London NW5 3AN			Refer to draft decision notice		
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>		
<b>Proposal(s)</b>					
Details of the appearance and landscaping pursuant to conditions 1 (Landscaping) and 4 (Design) of Outline Planning Permission 2011/0201/P granted at appeal (APP/X5210/A/11/2163152) on 12/03/2012 for: '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 '(application seeks permission for scale, layout and access only and not appearance of the building or landscaping)'.					
<b>Recommendation:</b>		Grant approval of details			
<b>Application Type:</b>		Approval of Reserved Matters			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	278	No. of responses	02	No. of objections	02
			No. Electronic	00		
Summary of consultation responses:	A site notice was displayed from 14/09/2012 (expiring on 05/10/2012).  <u>Objections from the occupiers (2) of 55-57 Holmes Road:</u> - loss of light to habitable rooms - no landscaping issues submitted  <i>Officer comments: These issues are addressed in sections 2 and 3 of the assessment.</i>					
CAAC/Local groups comments:	N/A					

## Site Description

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.

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 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 conditions to the decision:

- 1) Details of the appearance and landscaping (hereinafter called "the reserved matters") shall be submitted to, and approved in writing by, the local planning authority before any development begins, and the development shall be carried out as approved.
- 2) The development hereby permitted shall begin either before the expiration of five years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.
- 3) Application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission.
- 4) The submission of the reserved matters in relation to appearance shall include a statement explaining the underlying approach to the design of the building and how a high quality of design will be achieved in relation to the site access, layout and the surrounding urban context.
- 5) The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule at the end of these conditions.
- 6) The total floorspace of the development shall not exceed 851m<sup>2</sup>.
- 7) The total floorspace of the Class B1 element of the development shall comprise 311m<sup>2</sup>.
- 8) The total floorspace of the residential element of the development shall not exceed 540m<sup>2</sup>.
- 9) The maximum height, length, depth and width of the building shall not exceed the parameters set by plan Nos 10028 P103 Rev A and 10028 P104 Rev B.

10) Notwithstanding Condition 5, no development shall take place until an access audit, to demonstrate how the development will allow inclusive access for the whole community, has been submitted to, and approved in writing by, the local planning authority. The audit shall refer to all parts of the development, including each of the uses and any communal entrances and circulation areas. It shall include: Lifetime Homes information to show that all of the 16 relevant points have been met for each residential unit or, where this is not feasible, the provision of a detailed justification and information to show that at least 10% of the units are wheelchair accessible, or easily adaptable for residents who are wheelchair users. Development shall be carried out in accordance with the approved audit.

11) Notwithstanding Condition 5, no development shall take place until a specification for the Use Class B1 floorspace hereby permitted, to ensure its suitability for Class B1(c) uses, has been submitted to, and approved in writing by, the local planning authority. Development shall be carried out in accordance with the approved specification.

12) No development shall take place until a site investigation into the nature and extent of any contamination or landfill gas has been carried out in accordance with a methodology which has previously been submitted to, and approved in writing by, the local planning authority. The results of the site investigation shall be made available to the local planning authority before any development begins. If any contamination is found during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development hereby permitted shall be submitted to, and approved in writing by, the local planning authority. The site shall be remediated in accordance with the approved measures and a verification report submitted to, and approved in writing by, the local planning authority before development begins.

13) Notwithstanding Condition 5, no development shall take place until details of a storage area for 8 cycles have been submitted to, and approved in writing by, the local planning authority. The development hereby permitted shall not be occupied until the storage area has been provided in accordance with the approved details, and it shall thereafter be retained.

14) Notwithstanding Condition 5, no development shall take place until details of the location and design of waste storage facilities and the method of removal, to include for recycled materials, have been submitted to, and approved in writing by, the local planning authority. The development hereby permitted shall not be occupied until the facilities have been provided in accordance with the approved details, and they shall thereafter be retained.

15) Notwithstanding Condition 5, no development shall take place until details of the green roof have been submitted to, and approved in writing by, the local planning authority. The development hereby permitted shall not be occupied until the green roof has been provided in accordance with the approved details, and it shall thereafter be retained and maintained.

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.

17) The roof top area shall not be used as a roof terrace, and access onto the roof shall only be for maintenance and for no other purpose.

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

## Relevant policies

### **LDF Core Strategy and Development Policies 2010**

#### Core Strategy

- CS1 – Distribution of growth
- CS5 – Managing the impact of growth and development
- CS6 – Providing quality homes
- CS8 – Promoting a successful and inclusive Camden economy
- CS11 – Promoting sustainable and efficient travel
- CS13 – Tackling climate change through promoting higher environmental standards
- CS14 - Promoting high quality places and conserving our heritage
- CS18 – Dealing with our waste and encouraging recycling
- CS19 – Delivering and monitoring the Core Strategy

#### Development Policies:

- DP2 - Making full use of Camden's capacity for housing
- DP3 – Contributions to the supply of affordable housing
- DP5 – Homes of different sizes
- DP6 – Lifetime homes and wheelchair homes
- DP13 – Employment sites and premises
- DP16 – The transport implications of development
- DP17 – Walking, cycling and public transport
- DP18 – Parking standards and limiting the availability of car parking
- DP19 – Managing the impact of parking
- DP21 – Development connecting to the highway network
- DP22 – Promoting sustainable design and construction
- DP23 – Water
- DP24 – Securing high quality design
- DP26 – Managing the impact of development on occupiers and neighbours
- DP27 – Basements and lightwells
- DP29 – Improving access
- DP30 – Shopfronts

### **Camden Planning Guidance 2011:**

- CPG1 Design;
- CPG2 Housing;
- CPG3 Sustainability;
- CPG6 Amenity;
- CPG7 Transport;
- CPG8 Planning Obligations.

### **London Plan 2011**

### **NPPF 2012**

## Assessment

## **1. Proposal:**

### **1.1 The application proposes:**

- The approval of reserved matters, namely details of appearance and landscaping, related to Condition No.1 attached to ref: 2011/0201/P (see relevant history)

### **1.3 The main issues for consideration are therefore:**

- The impact of the proposal upon the character or appearance of the surrounding area and;
- The impact that the proposal may have upon the amenity of the occupiers of the neighbouring properties.

## **2. Impact upon the surrounding area:**

2.1 With particular regard to the proposals design, external appearance and materials proposed, the approach submitted is of a robust quality with considerate composition and detailing, sympathetic within its context. The bricks proposed for the elevational treatment shall vary in colour, from brown through to red (textured) brick, which shall give a rich warm effect that is consistent with the overall character of the area.

2.2 In terms of detailing, the scheme proposes whole brick (215mm) deep reveals to the windows and around the balconies, which along with a Flemish bond will give the appearance of a thick solid brick wall onto the street (even though the construction will only use a half brick thick skin). This depth of façade will give the building the appearance of a robust quality, thereby adding subtlety to a new building within an industrial context. The fenestration has been suitably aligned and rhythmic, with consistent cill and head heights, thereby introducing a balanced façade. It is considered the black aluminium frames to the majority of glazing would compliment the colour and texture of the bricks. At street level the same brick would be used for the commercial elements, but with use of saw tooth bricks to part of the shopfront surround, this would help distinguish it from the residential element and add visual interest at street level. A simple timber framed shopfront with large areas of glazing would finish the ground floor façade.

2.3 The details of the facing brickwork demonstrating the proposed colour, texture, face-bond and pointing shall be secured by way of a condition.

2.4 Given the constraints of the site, it is considered details relating to landscaping, other than those secured by Condition No.15 (see relevant history), shall be required in this instance.

2.5 Within this context, it is considered the proposal complies with, inter alia, DP24 and the appearance requirements of

## **3. Residential Amenity**

3.1 The issue of the access to sunlight, daylight, visual bulk or sense of enclosure was addressed in the previous appeal decision:

*"The appellant has undertaken a daylight and sunlight assessment on the impact of the proposal, in accordance with BRE Guidance5. This has concluded that all the rooms at No 55-57 which face the appeal site would have a vertical sky component which would be acceptable for an urban area and achieve the guideline annual probable sunlight hours. All rooms would also achieve the target average daylight factor apart from a study room. This room would achieve the target level for a bedroom but would be marginally below, 1.4% compared to a 1.5% target, the level for a living room.*

*As a consequence of the features of the flats identified above, such a shortfall would not be unreasonable, and this matter would therefore be no reason to dismiss the appeal. Moreover, there has been no objection from the Council's Public Protection officers in this regard. The assessment was undertaken using the relevant guidance in place at the time. The guidance has now been updated, but there is nothing to suggest that a different conclusion would have been reached using the updated version.*

*In terms of outlook, the rooms served by two of the second and third floor windows at No 55-57 which face the site have dual aspect windows and therefore outlook. Another two windows would be situated in close proximity to the rear elevation of the property, particularly when the rear cut back identified in the daylight and sunlight assessment is taken into account. The outlook from these rooms would therefore be acceptable. The outlook from a window that serves the study identified above would however be adversely affected, but this would not be sufficient reason to dismiss the appeal.”*

2.3 In order to protect the amenity of the neighbouring occupiers of the first, second and third floor windows at No 55-57 Holmes Road, it would be necessary that all windows and glazed surfaces which face the site be obscurely glazed and non-opening, secured by way of a condition. It is considered that this would be sufficient to prevent unreasonable overlooking or a loss of privacy.

2.4 Within this context, it is considered the proposal complies with, inter alia, DP26.

**Recommendation: Grant reserved matters**

#### **DISCLAIMER**

Decision route to be decided by nominated members on Monday 5<sup>th</sup> November 2012.  
For further information please click [here](#).