

Delegated Report		Analysis sheet	Expiry Date:	01/11/2011
(Members Briefing)		N/A	Consultation Expiry Date:	05/10/2011
Officer			Application Number(s)	
Adrian Malcolm			2011/3893/P	
Application Address			Drawing Numbers	
Former Mercedes Benz Site Blackburn Road London NW6 1RZ			Refer to draft decision notice.	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Amendments to planning permission granted on appeal dated 30/09/10 (ref: 2009/5823/P) for the erection of a part five, part seven, part nine storey plus basement building providing B1 employment space and student accommodation, namely, to relocate plant, substation, cycle storage & student refuse store, relocation & alterations to main/servicing gates, yard and kerb, and alterations to ground floor fenestration.				
Recommendation(s):		Grant conditional permission subject to a deed of variation		
Application Type:		Full Planning Permission		

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	07	No. of responses	02	No. of objections	01
Summary of consultation responses:	<p>Builder Depot Ltd, Blackburn Rd Fully support proposed amendment.</p> <p>Thames Water A non-return valve should be included within the proposal to prevent waste water backflow to the development. It is the developer's responsibility to make proper provision for surface water drainage to ground, water courses or a suitable sewer. Storm flows should be attenuated or regulated into the receiving public network through on or off site storage. Thames Water's permission is required where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer and may withhold such consent in the case of new buildings if it is not satisfied that public sewers are protected and that it can access for repair and maintenance. Any piling must be undertaken in accordance with the terms of an approved piling method statement-condition requested. Where a developer proposes to discharge groundwater into a public sewer, a groundwater discharge permit will be required. Petrol/oil interceptors should be fitted in all car parking areas.</p> <p><i>Officer response: The issues raised by Thames Water were addressed at the time of the main application. Relevant conditions and S106 heads of terms are already attached to the main planning permission for this development (e.g. conditions re testing and remediation for groundwater contamination, studies on impact on water supply infrastructure, S106 head of term re water management plan. However, in view of the changed circumstances following the applicant's discovery of the unexpected route of the Thames Water Sewer, a condition is recommended re piling, as requested by Thames Water, and an informative is recommended urging liaison with Thames Water.</i></p>					
CAAC/Local groups comments:	<p>West Hampstead Local Consultation Group The amendment makes the possibility of traffic flow to the lower floor business traffic rather than the car capped student accommodation. This is already a congested area and refuse has been collected to date without problem.</p> <p><i>Officer response: See assessment.</i></p>					

Site Description

The application site is located on the northern side of Blackburn Road. Planning permission was granted at appeal (Ref:2009/5823/P) on 18/03/10 for the erection of a part five, part seven, part nine storey plus basement building providing 2,110 sqm of flexible B1 employment space at ground floor level and 347 beds (39 x cluster flats and 52 x studios) of accommodation for students on the upper floors.

Relevant History

2009/5823/P

Planning permission was granted at appeal on 18/03/10 for erection of a part five, part seven, part nine storey plus basement building providing 2,110 sqm of flexible B1 employment space at ground floor and 347 beds (39 x cluster flats and 52 x studios) of accommodation for students to upper floors (following demolition of the existing car repair garage).

Some of the conditions pursuant to compliance with this decision and S106 heads of terms have subsequently been discharged.

Relevant policies

The London Plan (2011)

LDF Core Strategy and Development Policies (2010)

CS5 (Managing the Impact of Growth and Development)
CS11 (Promoting sustainable and efficient travel)
CS17 (Making Camden a Safer Place)
CS18 (Dealing with Our Waste and Encouraging Recycling)
CS19 (Delivering and Monitoring the Core Strategy)
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)
DP20 (Movement of Goods and Materials)
DP21 (Development Connecting to the Highway Network)
DP24 (Securing high quality design)
DP27 (Basements and lightwells)
DP26 (Managing the Impact of Development on Occupiers and Neighbours)
DP28 (Noise and vibration)
DP29 (Improving Access)

Camden Planning Guidance (2011)

Assessment

Proposal

The proposed amendments to the approved scheme have come about as a result of the discovery that a Thames Water Sewer runs beneath the site and that the approved electricity sub-station position does not meet EDF requirements. The current application seeks the following amendments to the approved scheme:

- Relocation of plant from basement to ground floor level and relocation of substation closer to Blackburn Rd.
- Cycle storage provided in reduced, relocated basement accessed via double entry lifts in the main student reception area.
- Student refuse store is relocated and accessed via the main student core, and a separate commercial storage area provided.
- Design of the main servicing gate altered and servicing gate to Asher House is moved back, slightly extending the site (on to land also owned by the applicant) and alterations made to the servicing yard to assist manoeuvring.
- Reconfiguration of the ground floor employment space as a result of the above changes, with a marginal increase of 20sqm (from 2,110sqm previously permitted to 2,130sqm proposed).

- Disabled parking is shifted and reduced from 4 to 3 spaces.
- Alterations to the ground floor fenestration.

Assessment

Land use

The employment space has been increased marginally in size. The unit benefits from a street frontage and direct access to the shared service yard and could despite the increase in size still be attractive to occupation by a small business. The changes to the business space, dictated by circumstances, are considered to be acceptable.

Impact on servicing, refuse/recycling and disabled parking requirements

The service yard has been reduced in size as a result of the relocation of the plant and refuse space. Discussions took place between the applicant and the Council's transport planners prior to submission of this application to ensure that the revised service yard would still be acceptable in terms of accommodating essential service vehicles and their manoeuvres and without having any unacceptable consequences in terms of usage of the public highway. Tracking diagrams have been supplied to demonstrate that these vehicles could enter and leave the site in forward gear. Refuse vehicles would access the site via the access road at the rear of Asher House, which is an arrangement unchanged from the approved scheme.

There is no intention to increase the flow of vehicles relative to the approved scheme as a result of the proposed amendments. The amendments merely seek to accommodate the essential service vehicles (and disabled parking) that would use the service yard of the development following the essential amendments to the scheme set out above.

The amended refuse/recycling arrangements are considered to be acceptable and would not add to congestion.

The revised arrangement of disabled parking is also considered to be acceptable. The reduction of the disabled provision from 4 to 3 parking spaces has been demonstrated to the satisfaction of the Council's transport planners and access officer to be sufficient to serve the development.

Impact on basement and cycle storage

A part basement was approved in the original scheme and is now proposed to be repositioned (to avoid the sewer) and reduced in size (the plant would be relocated). 176 cycles would be accommodated, the same as the approved scheme. The access arrangements to the basement have been revised to meet the Council requirements and is now considered to be acceptable.

Appearance

The very minor changes to the elevations to the ground floor elevations to Blackburn Rd and those facing the service yard are of little consequence and are considered acceptable.

Impact on Thames Water Sewer

Referred to above (see consultation responses).

Recommendation: Grant conditional permission subject to a deed of variation.

DISCLAIMER

Decision route to be decided by nominated members on Monday 17th October 2011.

For further information see

<http://www.camden.gov.uk/ccm/navigation/environment/planning-and-built-environment/planning-applications/development-control-members-briefing/>