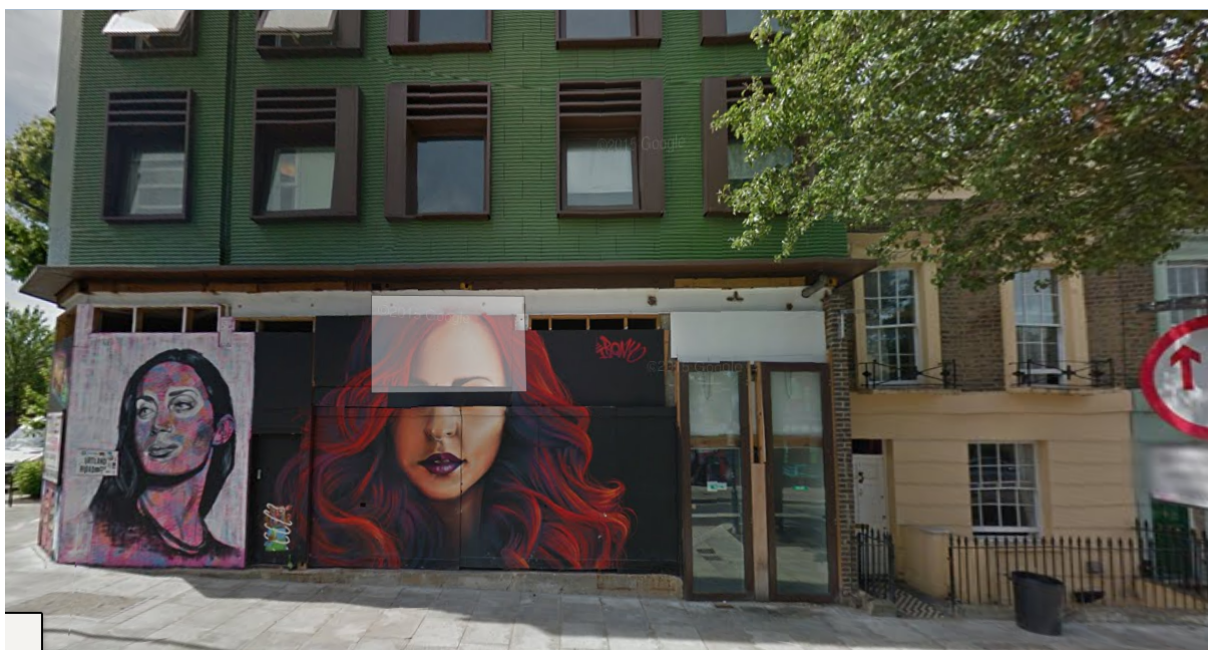


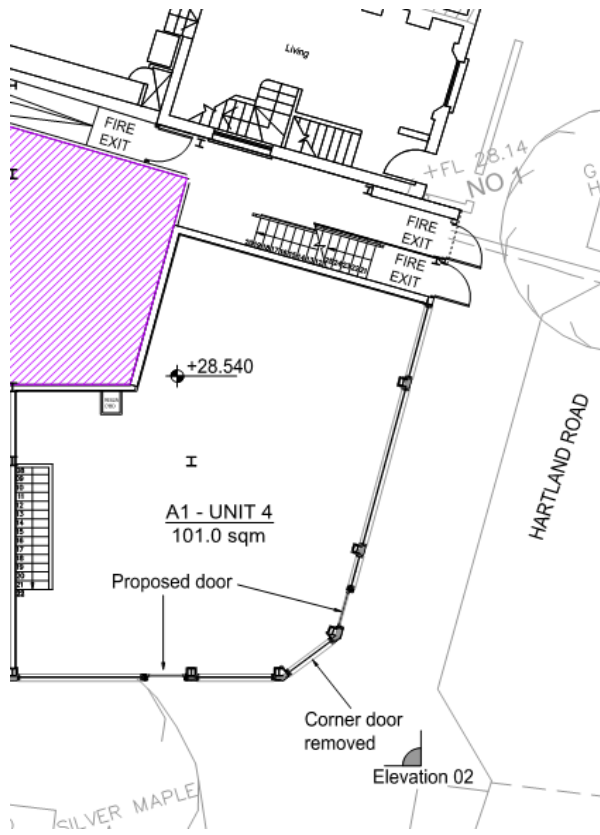
VIEW FROM CHALK FARM ROAD



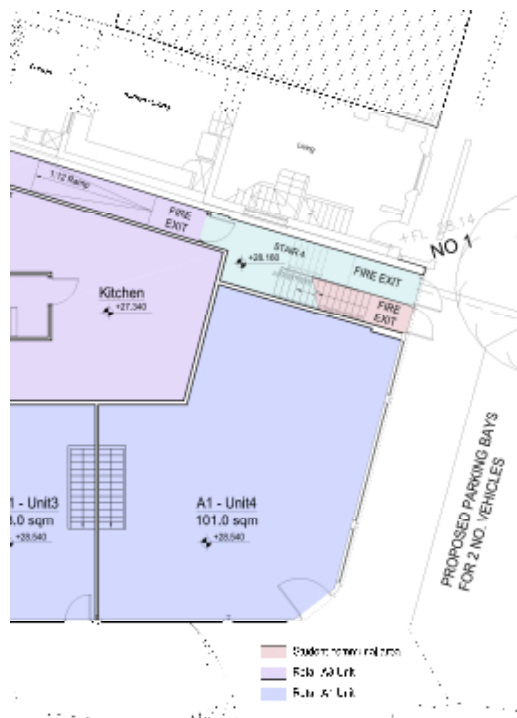
VIEW FROM HARTLAND ROAD SHOWING THE DISTANCE BETWEEN THE APEX CORNER AND THE RESIDENTIAL UNITS ON HARTLAND ROAD



FLOOR PLAN SHOWING THE EXACT LOCATION OF THE PROPOSED DOORS



APPROVED LAYOUT



Delegated Report		Analysis sheet	Expiry Date:	08/02/2016
(Members Briefing)		N/A	Consultation Expiry Date:	18/12/2015
Officer			Application Number(s)	
Matthias Gentet			2015/6039/P	
Application Address			Drawing Numbers	
29-33 Chalk Farm Road London NW1 8AJ			Revised Drawings: 150320-A(SO)001; [150320-A(73)] 400 RevA; 401 RevA; 701; 703 RevA. Superseded Drawings: [110910-A(GA)] 400 RevC; 401 RevD.	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Variation of condition 2 (approved drawings) of planning permission granted on 09/10/2012 (ref: 2012/0974/P) for the redevelopment of petrol filling station site with a basement plus 4-storey mixed-use building, comprising 6 x retail units (Class A1/A3) at basement and ground floor level and 40 student residential units (Sui Generis) above, namely for the relocation of retail unit doors to the Chalk Farm Road and Hartland Road elevations.				
Recommendation(s):		Granted Subject to a Section 106 Agreement		
Application Type:		Variation or Removal of Condition(s)		

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	07	No. of responses	03	No. of objections	03
Summary of consultation responses:	<p>The statutory consultations were carried out in the form of consultation letter to the relevant parties (expiry date: 16/12/2015) and a Site Notice (erected on 27/11/2015 and expiring on 18/12/2015).</p> <p>An objection from the Owner/occupier at 47 Hartland Road, LONDON, NW1 8DB was received, summarised as follow:</p> <ul style="list-style-type: none"> o Personally reassured by previous Cllr that developers have failed to honour terms of original planning approval with respect with exterior aspect of the building; o Colleagues of the Cllr were trying to force the developers to conform to original plans; o Council does have the power to refuse alterations until developers have made good on their original promises. <p>1. <u>Officer's Response:</u></p> <p>1.1 The current proposal needs to be assessed on its merit. The alterations include a door on either side of the apex elevation forming the corner of Chalk Farm Road with Hartland Road.</p> <p>An objection from Cllr Alison Kelly was received, as follow: <i>Dear Pat. Thank you so much for all your hard work on behalf of our community. We know that our wonderful officers are painfully overstretched. But your persistence and grasp of the issues is incredibly helpful. You take the long term view which is just what is needed.</i></p> <p>2. <u>Officer's Response:</u></p> <p>2.1 Please refer to paragraphs 3.1 to 3.6 of the below Officer's Response to the objections raised by the Residents Association.</p>					
Local groups comments: Residents Association	<p>An objection from a Residents Association was received, summarised as follow:</p> <ul style="list-style-type: none"> o Throughout the discussions, the Residents Association and planning officers/committee agreed that all operative doors – excluding fire exits – should be on Chalk Farm Road. o Not wanted on the residential road; o No argument made by applicant for making the change; <p>3. <u>Officer's Response:</u></p> <p>3.1 The siting of the student entrance on the Chalk Farm Road frontage was to ensure the coming and going of students as there would be no reason for them to enter the building via Hartland Road.</p> <p>3.2 A subsequent approval for minor variation proposing a fire escape from Hartland Road was carefully conditioned to restrict it to emergency escape purposes. The retail entrances were to be mainly on Chalk Farm Road.</p> <p>3.3 In term of the current variation, the proposal is to be assessed on its merit and</p>					

whether the proposed new location for the doors will have a materially detrimental effect on residents' amenity.

3.4 Only one of the proposed doors to be relocated in on Hartland Road. It is sited in such a way that it is the furthest away from residential properties, adjacent to the apex corner elevation and as such, can be viewed as being included as part of Chalk Farm Road highstreet.

Site Description

The application site is a newly built 4-storey building with basement located on the corner of Chalk Farm Road and Hartland Road. The ground floor accommodates commercial units while the upper floors serve as student accommodation with an entrance on Chalk Farm Road. The site was originally a petrol station on the north side of Chalk Farm Road, between the Round House and the bottom of Camden High Street.

The site is not in a conservation area but it is adjacent to the Regents Canal Conservation Area and The Stables Market which is Grade II* listed.

Relevant History

Site Address:

2015/5929/P – (waiting to be determined) - Variation of condition 2 of planning permission granted 11/02/2013(ref: 2012/6776/P) as an amendment to planning permission granted 09/10/2012 (ref: 2012/0974/P) for redevelopment of existing petrol filling station site with a basement plus 4-storey mixed-use building, to allow for a reduction in cycle parking spaces from 148 to 129 spaces.

2012/6776/P – (granted on 08/02/2012) - Variation of condition 2 (development to be carried out in accordance with the approved plans) pursuant to planning permission granted on the 09/10/2012 (ref: 2012/0974/P for Redevelopment of existing petrol filling station site with a basement plus 4-storey mixed-use building, comprising 6 x retail units (Class A1/A3) at basement and ground floor level and 40 student residential units (Sui Generis) at mezzanine, first, second and third floor level with cycle storage in the basement) to allow minor material amendments to internal layout, including a change to areas designated to A1 and A3 spaces, and installation of additional fire escape along Hartland Road frontage.

2012/1002/P – (refused on 08/06/2012) - Redevelopment of existing petrol filling station site with a basement plus 4-storey mixed-use building, comprising 5 x retail units (Class A1/A3) at basement and ground floor level and 99 units of hotel accommodation (Class C1) at first, second, third and fourth floor levels, plus ancillary areas and cycle storage in basement;

2012/0974/P – (granted subject to S106 on 09/10/2012) - Redevelopment of existing petrol filling station site with a basement plus 4-storey mixed-use building, comprising 6 x retail units (Class A1/A3) at basement and ground floor level and 40 student residential units (Sui Generis) at mezzanine, first, second and third floor level with cycle storage in the basement;

Please note that a list of various Approval of Details and advert consent applications have been submitted and granted from 2012 to 2015.

Adjacent Sites:

2004/1044/P – (granted on 06/05/2004) - Amendment of approved shopfront for glazed timber folding panels to open down to floor - 27 & 28 Chalk Farm Road;

Relevant policies

LDF Core Strategy and Development Policies

Core Strategy Policies

- CS5 – Managing the impact of growth
- CS7 - Promoting Camden's centres and shops
- CS14 – Promoting high quality places and conserving our heritage

Development Policies

DP10 - Helping and promoting small and independent shops

DP24 – Securing high quality design

DP25 – Conserving Camden's Heritage

DP26 – Managing the impact of development on occupiers and neighbours

DP30 - Shopfronts

Camden Planning Guidance 2015 (as amended)

CPG1 – Design (chap 7)

CPG5 – Town Centres, Retail and Employment (chap 2 & 5)

National Planning Policy Framework 2012

The London Plan 2015 (Consolidated with amendments since 2011)

Regents Canal Conservation Area Appraisal (September 2008)

Assessment

Background

Planning permission was granted on 09/10/2012 for the redevelopment of the site with a basement plus 4-storey building, comprising 6 x commercial units (5x Class A1/ 1x ClassA3) at basement and ground floor level with 40 student residential units above (2012/0974/P). One factor in the acceptability of the scheme was that there should be no student entrance on Hartland Road to protect the amenity of residents on Hartland Road, and the scheme was approved with the student entrance on Chalk Farm Road and only a single fire exit door on Hartland Road.

The permission was subject to a minor material amendment which reconfigured the ground floor commercial units and reduced them to 4 in total (3x A1 units and 1x A3 unit) and added an additional fire escape door adjacent to the approved one with a condition restricting the use of the fire exits to emergency use only.

1. Proposal

1.1 Unit 4 is a ground floor retail unit that occupies the corner of the site at the junction of Chalk Farm Road and Hartland Road. The approved floor plan (and the revision which increases the size of the unit) indicates a single entrance on the splayed corner. The applicant seeks a minor material amendment to replace the corner entrance with two single entrances either side of the approved entrance, one on the Chalk Farm Road elevation and one on the Hartland Road elevation. The works have already been carried out.

2. Assessment

Design:

2.1 One of considerations to the determination of the application is the impact of the proposal on the appearance of the host building, on the appearance and character of the front and side streetscape. Another of considerations to the determination of planning application is the impact of the proposal on the appearance and character of the adjacent conservation area and on the sensitivity and setting of the listed Stables Market opposite.

2.2 Each door measures 1095mm in width and 3500mm in height. They fit within the size of the approved shopfront and do not infringe on the fascia area above, and mirror each other in terms of design.

2.3 The size of the doors complies with Camden Planning Guidance CPG1 – Design requiring for new buildings to provide a minimum 1000mm width to permit access to wheelchair users.

2.4 The doors are fully glazed with timber frames and include a small stallriser 247mm in height.

2.5 The doors, in terms of size, scale, design, location and materials are considered to be acceptable and will preserve the appearance and character of the host building and streetscape, and will not harm the appearance or character of the adjacent Regents Canal Conservation Area or listed Stables Market in accordance with Core Policy CS14 (Promoting high quality places and conserving our heritage) and Development Policies DP24 (Securing high quality design), DP25 (Conserving Camden's Heritage) and DP30 (Shopfronts).

Amenity:

- 2.6 The proposal results in 2no doors located on either side of the corner elevation. The floorspace of the retail unit (101sqm) would be unchanged.
- 2.7 One of the proposed doors would be on Hartland Road adjacent to the splayed corner elevation. It is sited in such a way that it is the furthest away from residential properties. The approved entrance was 12.7m away from the closest residential property (no. 1 Hartland Road), as the proposed door to Hartland Road is immediately next to the approved door, it would only be 1.1m further up the road.
3. Whilst it is accepted that there may have been an impact on the amenity of adjoining occupiers from students, and their guests, using an entrance on Hartland Road and congregating outside at any time of the day and night, it is not considered that the minimal shifting of the retail entrance would have a similar impact on the amenity of neighbouring residents due to the distance of the entrance from the residential properties, the use of the unit and likely trading hours.
- 3.1 There is another example of a commercial unit (operating as a café) on the corner of Chalk Farm Road with Hawley Street providing side access to the unit in question from Hawley Street and nearby residential properties.
- 3.2 As such, it is not considered that the proposed relocation of doors to the retail unit would harm the amenity of adjoining occupiers nor would it be contrary to policies CS5 (Managing the impact of growth and DP26 (Managing the impact of development on occupiers and neighbours).
4. **Recommendation:** Grant Planning Permission subject to a Section 106 Agreement for a deed of variation.

DISCLAIMER

Decision route to be decided by nominated members on 8th February 2016. For further information please go to www.camden.gov.uk and search for 'members briefing

Contemporary Design Solutions
46 Great Marlborough Street
London
W1F 7JWApplication Ref: **2015/6039/P**

04 February 2016

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:
29-33 Chalk Farm Road
London
NW1 8AJ

Proposal:

DECISION
Variation of condition 2 (approved drawings) of planning permission granted on 09/10/2012 (ref: 2012/0974/P) for the redevelopment of petrol filling station site with a basement plus 4-storey mixed-use building, comprising 6 x retail units (Class A1/A3) at basement and ground floor level and 40 student residential units (Sui Generis) above, namely for the relocation of retail unit doors to the Chalk Farm Road and Hartland Road elevations.

Drawing Nos: Revised Drawings: 150320-A(SO)001; [150320-A(73)] 400 RevA; 401 RevA; 701; 703 RevA.

Superseded Drawings: [110910-A(GA)] 400 RevC; 401 RevD.

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 For the purposes of this decision, condition no.2 of planning permission 2012/0974P shall be replaced with the following condition:

REPLACEMENT CONDITION 2

The development hereby permitted shall be carried out in accordance with the following approved plans: Site location plan 150320-A(SO)001; (prefix 150320-A (73) 400 RevA; 401 RevA; 701; 703 RevA; (prefix 110910-A) (GA) 090 rev B, 100 rev D, 105 rev B, 110 rev D, 120 rev D, 130 rev C, 140 rev C, 300 rev B, 301 rev B, 302 rev B, 303 rev B, (VIS) 001 rev A, 002 rev B; Design and access statement dated January 2012; Daylight and Sunlight Study prepared by Right of Light Consulting dated 7 February 2012 and supplemental letter dated 30 May 2012; Site Investigation Report by Arcadis dated February 2012; Additional Site Report by Arcadis dated February 2012; Geotechnical Assessment Report by Arcadis dated September 2011; Environmental Site Assessment Report by Arcadis dated April 2010; Detailed Quantitative Risk Assessment by Arcadis dated June 2010; Transport Statement by URS dated January 2012 and supplemental letter dated 1 May 2012; Basement Impact Assessment by Pringuer-James dated March 2012 rev 2; Sustainability Assessment by Richard Hodkinson Consultancy dated February 2012; Energy Statement by Richard Hodkinson Consultancy dated 6 February 2012; Noise Impact Assessment by 24 Acoustics dated 8 February 2012 rev 1; Arboricultural Report by Ian Keen Ltd ref IJK/7830/SA/wdc; Construction Traffic Management, Plan by URS dated February 2012; Workplace Travel Plan by URS dated January 2012; Student Travel Plan by URS dated January 2012; Air Quality Assessment by URS dated May 2012.

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

Informative(s):

- 1 This approval under Section 73 of the 1990 Act effectively varying the relevant condition of the previous planning permission is subject otherwise to the same terms, drawings, conditions (and obligations where applicable) as attached to the previous planning permission. This includes condition 1 providing for a 3 year time period for implementation which for the avoidance of doubt commences with the date of the original decision (and not this variation).

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

Yours faithfully

Culture and Environment Directorate