

Mr Kieran Rafferty  
KR Planning  
27 York Place  
Bournemouth  
Dorset  
BH7 6JN

Application Ref: **2013/7130/P**  
Please ask for: **Amanda Peck**  
Telephone: 020 7974 **5885**

6 March 2014

Dear Sir/Madam

### **DECISION**

Town and Country Planning Act 1990 (as amended)  
Town and Country Planning (Development Management Procedure) Order 2010  
Town and Country Planning (Applications) Regulations 1988

#### **Full Planning Permission Granted Subject to a Section 106 Legal Agreement**

Address:

**65- 69 Holmes Road  
London  
NW5 3AN**

Proposal:

Erection of part seven, part three storey building above two basement levels to provide student accommodation comprising 273 units (337 rooms and 439 bed spaces) with ancillary facilities (sui generis), warehouse (Class B8) at basement and ground floor levels and coffee shop (Class A1) at ground floor level following demolition of existing B8 buildings.

Drawing Nos:

The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of three years from the date of this permission.



Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The details of the layout, sections, elevations at scale 1:100, plus larger scale details at 1:20 scale of windows, door framing and roof plant equipment, to be used on the building shall not be otherwise than as those submitted to and approved by the Council before any work is commenced on the relevant part of the development. Such details shall include proposed slab levels of the building in relation to the existing and proposed levels of the site and the surrounding land. The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 of the London Borough of Camden Local Development Framework Development Policies.

- 3 A Sample panel of all approved facing materials demonstrating the proposed colour, texture, face-bond and pointing shall be provided on site and approved by the Council before the relevant parts of the works are commenced and the development shall be carried out in accordance with the approval given. The approved sample panel shall be retained on site until the work has been completed.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 of the London Borough of Camden Local Development Framework Development Policies.

- 4 No development shall take place until:
  - a) The applicant has submitted a programme of ground investigation for the presence of soil and groundwater contamination and landfill gas for approval by the Council.
  - b) The investigation has been carried out in accordance with the approved details and the results and remediation measures (if necessary) have been submitted to and approved by the Council.
  - c) All approved remediation measures shall be implemented strictly in accordance with the approved details and a verification report shall be submitted and approved by the Council.

Reason: To protect future occupiers of the development from the possible presence of ground contamination arising in connection with the previous industrial/storage use of the site in accordance with policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policy DP26 of the London Borough of Camden Local Development Framework Development Policies.

- 5 No development shall take place until full details of hard and soft landscaping, including the amenity spaces, planted walls, and means of enclosure of all unbuilt, open areas have been submitted to and approved by the Council. The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved and shall be implemented prior to the first occupation of any of the new units and permanently retained thereafter.

Reason: To ensure that the development achieves a high quality of landscaping which contributes to the visual amenity and character of the area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 of the London Borough of Camden Local Development Framework Development Policies.

- 6 Before the development commences, details of the location, design and method of waste storage and removal (including recycled materials) shall be submitted to and approved by the Council and the approved facility shall therefore be provided prior to the first occupation of any of the new units and permanently retained thereafter.

Reason: To ensure that sufficient provision for the storage and collection of waste has been made in accordance with the requirements of policy CS18 of the London Borough of Camden Local Development Framework Core Strategy and policies DP26, DP28 and DP12 of the London Borough of Camden Local Development Framework Development Policies.

- 7 Before the development commences, details of secure and covered cycle storage area for 284 cycles shall be submitted to and approved by the Council (which shall accord with drawing number TBC). The approved facility shall thereafter be provided in its entirety prior to the first occupation of any of the new units, and thereafter permanently retained thereafter.

Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of policy CS11 of the London Borough of Camden Local Development Framework Core Strategy and policy DP17 of the London Borough of Camden Local Development Framework Development Policies.

- 8 The areas of external amenity space hereby permitted shall not be used after 22.00 or before 08.00 Mondays to Sundays (including Bank Holidays).

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policy DP26 of the London Borough of Camden Local Development Framework Development Policies.

- 9 The flat roofs of the buildings shall not be used as amenity terraces.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policy

DP26 of the London Borough of Camden Local Development Framework Development Policies.

- 10 Before the development commences, details of the proposed Combined Cooling Heat and Power technology shall be submitted to and approved by the Council. The approved facility shall thereafter be provided in its entirety prior to the first occupation of any of the new units and permanently retained thereafter.

Reason: In order to secure the optimum energy and resource efficiency measures and on-site renewable energy generation in accordance with policies CS13 and CS16 of the London Borough of Camden Local Development Framework Core Strategy and policies DP22, DP23, DP26, DP28 and DP32 of the London Borough of Camden Local Development Framework Development Policies.

- 11 The student accommodation hereby approved shall only be occupied as part of the overall use of this part of the building as "Sui Generis" student accommodation, and it shall not be used as independent and separate self contained dwellings within the meaning of Class C3 of the Town and Country Planning (Use Classes) Order 1987 (as amended).

Reason: In the interests of certainty to ensure an acceptable standard of accommodation for future occupants, in accordance with the requirements of policy CS6 of the London Borough of Camden Local Development Framework Core Strategy and policies DP2, DP5 and DP9 of the London Borough of Camden Local Development Framework Development Policies.

- 12 Prior to the first occupation of the building a plan showing details of the green roof including species, planting density, substrate and a section at scale 1:20 showing that adequate depth is available in terms of the construction and long term viability of the green roof, and a programme for an initial maintenance scheme for a period of 5 years shall be submitted to and approved in writing by the local planning authority. The green roof shall be fully provided in accordance with the approved details prior to first occupation and thereafter retained.

Reason: In order to ensure the development undertakes reasonable measures to take account of biodiversity and the water environment in accordance with policies CS13, CS15 and CS16 of the London Borough of Camden Local Development Framework Core Strategy and policies DP22, DP23 and DP32 of the London Borough of Camden Local Development Framework Development Policies.

- 13 Prior to the occupation of the building, details of an artificial bat roost within the application site should be submitted to and approved by the Council and subsequently incorporated in the development in accordance with the approved details and thereafter retained.

Reason: In order to conserve and enhance the biodiversity of the site in accordance with Policy CS15 of the London Borough of Camden Local Development Framework Core Strategy

- 14 No work shall take place on site until a detailed design, structural calculations and method statement for the foundation design and all new groundworks has been submitted to and approved by the Council. The development shall only take place in accordance with the detailed scheme approved pursuant to this condition.

Reason: To safeguard the appearance and structural stability of neighbouring buildings and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Development Policies and policy DP27 (Basements and Lightwells) of the London Borough of Camden Local Development Framework Development Policies.

- 15 Before the development commences, details of the internal access routes to the refuse storage area, including accessible routes, and details of the external ramped entrance to the restaurant, shall be submitted to and approved by the Council. The approved facility shall be provided in its entirety prior to the first occupation of any of the new units and permanently retained thereafter.

Reason: To ensure that sufficient provision for the storage and collection of waste has been made and to ensure full accessibility in accordance with the requirements of policies CS6 and CS18 of the London Borough of Camden Local Development Framework Core Strategy and policies DP6, DP26, DP28 and DP12 of the London Borough of Camden Local Development Framework Development Policies.

- 16 Before the development is commenced details of a Sustainable Drainage System (SUDS) including green or brown roofs, pervious paving and collection of rain water for reuse shall be submitted to and approved in writing by the local planning authority. Such details shall, demonstrate how the proposed system will minimise the site surface water run-off and amount and rate of waste water discharged to the sewer. The approved details shall be implemented prior to first occupation and retained in the development.

Reason: To reduce the rate of surface water run-off from the buildings and limit the impact on the storm-water drainage system in accordance with policies CS13 and CS16 of the London Borough of Camden Local Development Framework Core Strategy and policies DP22, DP23 and DP32 of the London Borough of Camden Local Development Framework Development Policies.

- 17 Noise levels arising from external sources audible within all habitable rooms during the night period (23:00 - 07:00) shall not exceed 30dB LAeq (8 hours) nor 45dB LAm<sub>max</sub> (fast). Similarly, noise levels in habitable rooms shall not exceed 35 dB LAeq (16 hours) during the day time (07:00 - 23:00). Details of sound insulation measures for the student windows fronting Cathcart Street shall be submitted to and approved in writing by the Local Planning Authority. The approved sound insulation measures shall be installed prior to occupation of any of the student units, and retained thereafter.

Reason: To safeguard the amenities of future occupants, the adjoining premises and the area generally in accordance with the requirements of policy CS5 of the

London Borough of Camden Local Development Framework Core Strategy and policies DP26 and DP28 of the London Borough of Camden Local Development Framework Development Policies.

- 18 Before the relevant uses commence, plans and acoustic information of any extract ventilating system/air-conditioning plant shall be submitted to the Council for approval, this shall include details of any acoustic isolation and sound attenuation. Noise levels at a point 1 metre external to sensitive facades shall be at least 5dB(A) less than the existing background measurement (LA90), expressed in dB(A) when all plant/equipment (or any part of it) is in operation unless the plant/equipment hereby permitted will have a noise that has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or if there are distinct impulses (bangs, clicks, clatters, thumps), then the noise levels from that piece of plant/equipment at any sensitive façade shall be at least 10dB(A) below the LA90, expressed in dB(A). The equipment and any noise control measures shall thereafter be retained.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies CS5 and CS7 of the London Borough of Camden Local Development Framework Core Strategy and policies DP12, DP26 and DP28 of the London Borough of Camden Local Development Framework Development Policies.

- 19 Ductborne noise arising from the café ventilation equipment, when measured inside student bedrooms shall not exceed Noise Rating Curve 25 LAeq (NR25).

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies CS5 and CS7 of the London Borough of Camden Local Development Framework Core Strategy and policies DP12, DP26 and DP28 of the London Borough of Camden Local Development Framework Development Policies.

- 20 The development hereby permitted shall be carried out in accordance with the following approved plans, except in respect of the windows in the elevation of the proposed building facing towards adjoining No 61 and 63 Holmes Road, which shall be deleted and fresh details of this element of the scheme shall be submitted: EX00; EX01; EX02; EX03; EX04; 131050 A(GA) -P080 A; -P090 A; -P100 B; -P110 B; -P120 B; -P130 B; -P140 B; -P150 B; -P160 B; -P170 A; -P300 A; -P301 A; -P302 A; -P303 A; -P400 B; -P401 A; P402A; -P403 A; 131050 A(VIS) P001; -P002; Sustainability Statement, Oct 2013, prepared by Hodkinson Consultancy; Sunlight and Daylight, 22 Oct 2013, prepared by BMT Fluid Mechanics Ltd; Basement Impact Assessment, Oct 2013, prepared by Pringuer-James Consulting Engineers; Design & Access Statement, Nov 2013 rev A, prepared by Contemporary Design Solutions; Planning Statement, Oct 2013, prepared by KR Planning; Energy Statement, Oct 2013, prepared by Hodkinson Consultancy; Transport Statement, Oct 2013, prepared by URS; Construction Traffic Management Plan, Oct 2013, prepared by URS; Workplace Travel Plan, Oct 2013, prepared by URS; Student Travel Plan, Oct 2013, prepared by URS; email from KR Planning dated 7 Feb 2014, entitled Holmes Road; revised room schedule, submitted 11 Feb 2014.

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

- 21 "Notwithstanding the provisions S96A of the Town and Country Planning Act 1990 or any Order revoking and re-enacting that Order, no increase in student bedspaces shall be carried out without the grant of planning permission having first been obtained from the local planning authority.

Reason: To prevent over development of the site by controlling increases in bedspaces and student numbers on the site in accordance with policies CS5 (managing the impact of growth and development) and CS6 (providing quality homes) of the London Borough of Camden Local Development Framework Core Strategy and policies DP9 (student housing, bedsits and other housing with shared facilities) and DP26 (managing the impact of development on occupiers and neighbours) of the London Borough of Camden Local Development Framework Development Policies."

- 22 The development hereby approved shall not commence until such time as a suitably qualified chartered engineer with membership of the appropriate professional body has been appointed to inspect, approve and monitor the critical elements of both permanent and temporary basement construction works throughout their duration to ensure compliance with the design which has been checked and approved by a building control body. Details of the appointment and the appointee's responsibilities shall be submitted to and approved in writing by the local planning authority prior to the commencement of development. Any subsequent change or reappointment shall be confirmed forthwith for the duration of the construction works.

Reason: To safeguard the appearance and structural stability of neighbouring buildings and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Development Policies and policy DP27 (Basements and Lightwells) of the London Borough of Camden Local Development Framework Development Policies.

Informative(s):

- 1 Your attention is drawn to the fact that there is a separate legal agreement with the Council which relates to the development for which this permission is granted. Information/drawings relating to the discharge of matters covered by the Heads of Terms of the legal agreement should be marked for the attention of the Planning Obligations Officer, Sites Team, Camden Town Hall, Argyle Street, WC1H 8EQ.
- 2 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts which cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Argyle Street WC1H 8EQ, (tel: 020-7974 6941).

- 3 Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Council's Compliance and Enforcement team [Regulatory Services], Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 4444 or on the website <http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-the-environmental-health-team.en> or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.
- 4 The Mayor of London introduced a Community Infrastructure Levy (CIL) to help pay for Crossrail on 1st April 2012. Any permission granted after this time which adds more than 100sqm of new floorspace or a new dwelling will need to pay this CIL. It will be collected by Camden on behalf of the Mayor of London. Camden will be sending out liability notices setting out how much CIL will need to be paid if an affected planning application is implemented and who will be liable.

The proposed charge in Camden will be £50 per sqm on all uses except affordable housing, education, healthcare, and development by charities for their charitable purposes. You will be expected to advise us when planning permissions are implemented. Please use the forms at the link below to advise who will be paying the CIL and when the development is to commence. You can also access forms to allow you to provide us with more information which can be taken into account in your CIL calculation and to apply for relief from CIL.

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

We will then issue a CIL demand notice setting out what monies needs to paid when and how to pay. Failure to notify Camden of the commencement of development will result in a surcharge of £2500 or 20% being added to the CIL payment. Other surcharges may also apply for failure to assume liability and late payment. Payments will also be subject to indexation in line with the construction costs index.

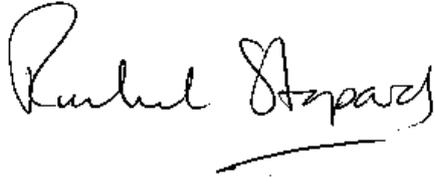
Please send CIL related documents or correspondence to [CIL@Camden.gov.uk](mailto:CIL@Camden.gov.uk)

- 5 Your attention is drawn to the need for compliance with the requirements of the Environmental Health regulations, Compliance and Enforcement team, [Regulatory Services] Camden Town Hall, Argyle Street, WC1H 8EQ, (tel: 020 7974 4444) particularly in respect of arrangements for ventilation and the extraction of cooking fumes and smells.

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.

Your attention is drawn to the notes attached to this notice which tell you about your Rights of Appeal and other information.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Rachel Stopard', with a horizontal line underneath.

Rachel Stopard  
Director of Culture & Environment

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