

Delegated Report (Refusal)		Analysis sheet		Expiry Date:		19/01/2018	
		N/A / attached		Consultation Expiry Date:		N/A	
Officer				Application Number(s)			
Jonathan McClue				2017/6568/P			
Application Address				Drawing Numbers			
65-67 Holmes Road London NW5 3AN				Refer to Decision Notice			
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature				
Proposal(s) Details of the layout, sections, elevations of windows, door framing and roof plant equipment to discharge condition 2 of 2013/7130/P dated 06/03/14 for the erection of a part seven, part three storey building (plus two storey basement) to provide student accommodation with 273 units (337 rooms and 439 bed spaces), warehouse (Class B8) at basement and ground floor levels and coffee shop (Class A1) at ground floor level following demolition of existing B8 buildings.							
Recommendation(s):		Refuse					
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 consultation was undertaken other than the e-alerts given the nature of the application.					

Site Description

The application site comprises an 'L' shaped plot of land. It was formerly occupied by Magnet Kitchen Showroom and Warehouse with customer car parking and two vehicular access points. The previous use has left and the buildings have been demolished in line with the planning consent approved under 2013/7130/P. Construction is well underway.

The Kentish Town Industrial Area is to the north of the site and the Kentish Town - Town Centre is within walking distance. The site lies within the boundaries of the Kentish Town Neighbourhood Forum and is subject to the recently adopted Neighbourhood Plan.

Relevant History

The application site has a significant history including 3 refusals, 2 of which were appealed by way of Public Inquiry (one was allowed and one was dismissed). A brief summary of the history is listed in chronological order (by application type) below.

Full Planning Applications

2008/4795/P (withdrawn): Erection of a part six, part three storey building with two basement levels to provide student accommodation comprising 411 self-contained study rooms and ancillary facilities (Sui Generis), restaurant/cafe use (Class A3) at ground floor level, and part change of use of upper basement level of 55-57 Holmes Road for use as ancillary facilities (refuse store, common room) for the student accommodation. (Following the demolition of the existing warehouse building). The application was withdrawn 27 January 2009.

2009/3187/P (Refused, appeal withdrawn): Erection of a part six, part three storey building with three and two basement levels respectively to provide student accommodation comprising 358 self-contained study rooms with ancillary facilities (Sui Generis), storage and distribution use (Class B8) at lower basement and ground floor level and restaurant (Class A3) at ground floor level. (Following the demolition of the existing warehouse building). The application was refused on 13 October 2009 for 26 reasons, including an excessive proportion of student accommodation and a loss of employment space. A Public Inquiry appeal was withdrawn by the Appellant on 9 February 2010.

2010/6039/P (Refused, appeal allowed): Erection of a part six, part three storey building with two basement levels to provide student accommodation comprising 268 student rooms housed within 245 units with ancillary facilities (Sui Generis), storage and distribution use (Class B8) at lower basement and ground floor level and coffee shop (Class A1) at ground floor level. The application was refused under delegated powers on 4th February 2011 for 19 reasons including failure to deliver an appropriate mix of housing types, over-concentration of student housing and loss of employment floorspace.

An appeal was submitted (ref: APP/X5210/A/09/2116161) and subsequently allowed on 1st December 2011. A unilateral undertaking (UU) was submitted during the appeal to satisfactorily address the majority of the reasons for refusal (9 to 19).

2012/6548/P (Refused, appeal dismissed): Erection of part seven, part three storey building with two basement levels to provide student accommodation comprising 313 student rooms housed within 278 units with ancillary facilities (sui generis), office use (Class B1) at lower basement and ground floor level. The application was refused under delegated powers on 25 March 2015. The main reasons for refusal were based on the unacceptable loss of floorspace (more was lost than the approved scheme); the over-concentration of student accommodation (45 more beds were proposed over the approved scheme); lack of external amenity space for students and due to larger extensions being proposed there was considered to be an adverse impact on the character and appearance of

the area and potential impacts on sunlight/daylight of neighbouring properties.

An appeal was submitted (ref: APP/X5210/A/13/2197192) and subsequently dismissed on 4 October 2013. The appeal was dismissed due to the loss of employment space, the over-concentration of student accommodation and the lack of external amenity space for students.

2013/7130/P (Granted Subject to a Section 106 Legal Agreement): 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 a coffee shop (Class A1) at ground floor level following demolition of existing B8 buildings. Planning permission was granted subject to a Section 106 Legal Agreement at the Development Control Committee on 06/03/2014. The scheme was essentially an amalgamation of the acceptable elements (as deemed by the Planning Inspectorate) from the two appeal proposals ref: 2010/6039/P and 2012/6548/P.

A number of planning obligations and conditions were included such as financial contributions, the restriction of occupation of student accommodation until the commercial element has been let and occupied, restricting occupation to student accommodation only and not permanent residential accommodation, the development must be linked to a Higher Education Funding Council for England (HEFCE) funded institution, a student management plan, travel plan, Construction Management Plan, Service Management Plan, car-free development, restrictions on use of external amenity space, external noise level compliance and no increase in student bedspaces.

Minor-Material Amendments (S.73)

2015/5435/P (Granted Subject to a Section 106 Legal Agreement): Variation of Condition 20 (approved plans) of planning permission 2013/7130/P was approved on 27/05/2016 with a Deed of Variation to original legal agreement. The main changes included extension of the lower basement level to relocate part of the warehouse (B8) use from the mezzanine floor, internal reconfigurations, introduction of social space and study rooms on the mezzanine level, changes between double and twin rooms, lift overrun, new rooflights and lightwells.

2016/4664/P (Granted Subject to a Section 106 Legal Agreement): Variation of Condition 20 (approved plans) of planning permission 2013/7130/P was approved on 03/05/2017 with a Deed of Variation to original legal agreement. The main changes included reconfiguration of the warehouse levels and ground floor to provide an enlarged social area for the student accommodation use; additional row of windows on Holmes Road elevation; additional rooflights into basement and changes to positioning of windows.

2017/6786/P (Currently being considered): Variation of Condition 20 (approved plans) of planning permission 2013/7130/P was registered on 21/12/2017 and officers are currently considering the merits of the application. The main proposed changes include lowering the basement level by 950mm, internal changes and the reduction of warehouse and ancillary student space.

Approval of Details

2016/5269/P (Granted): Submission of details to discharge conditions 4 (contamination), 5 (landscaping), 6 (waste), 10 (CHP), 15 (access) and partial discharge of 16 (SuDs) of planning permission 2013/7130/P. The application was approved on 03/03/2017.

2016/5496/P (Granted): Submission of details to partially discharge condition 2 (materials and details) of planning permission 2013/7130/P. The application was approved on 30/12/2016.

2016/6245/P (Granted): Submission of details to discharge conditions 14 (details, calculations, method and design of groundworks) and 22 (appointment of engineer) of planning permission 2013/7130/P. The application was approved on 03/03/2017.

2017/5974/P (Currently being considered): Submission of details to discharge conditions 7 (cycle parking), 12 (green roof) and 13 (bird and bat boxes) of planning permission 2013/7130/P. Officers are currently considering the merits of the application.

Relevant policies

National Planning Policy Framework 2012

Paragraphs 12, 14, 17 and 56-68

London Plan 2016

Policies 7.4 (Local character) and 7.6 (Architecture)

Local Development Framework (LDF) 2010

The Council's, now superseded, Core Strategy and Development Policies documents of the LDF were formally adopted on 8th November 2010. The original planning permission under 2013/7130/P was granted on 06/03/2014 when the LDF was in place and the conditions on the decision notice refer to these policies. Therefore, the policies listed on the decision notice are those used in the assessment of this proposal as they were the relevant policies in place at the time of decision.

Core Strategy

CS5 (Managing the impact of growth and development)

CS14 (Promoting high quality places and conserving our heritage)

Development Policies

DP24 (Securing high quality design)

Camden Local Plan 2017

The Local Plan was adopted by the Council on 03/07/2017 and has replaced the Core Strategy and Camden Development Policies documents as the basis for planning decisions. Policy D1 (Design) is relevant to this decision and is considered to be consistent with the LDF policies.

Camden Planning Guidance (CPG)

CPG1 (Design) 2015: Section 2 (Design excellence)

Inkerman Conservation Area Statement March 2003

Kentish Town Neighbourhood Forum Neighbourhood Plan - Adopted 19 September 2016

Policy D3 (Design Principles)

Assessment

1.0 Proposal

1.1 The proposal is seeking to discharge condition 2 of planning permission 2013/7130/P dated 06/03/2014. Condition 2 states:

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.

1.2 The proposed materials include aluminium expanded mesh; Equitone Tectiva – TE00 Calico (referred to as Marley Eternit panels below); aluminium window frame and coping – RAL 7006; smoke ventilation grille – RAL 7006 and a roller aluminium slatted garage door – RAL 7006. The submitted details include the following:

- Window frame elevations; section details and plan details
- Equitone Tectiva cladding elevations, section details, plan details and corner details
- Plans, sections and details of aluminium expanded mesh system
- Aluminium slatted garage door details
- Elevations

1.3 Condition 2 of 2013/7130/P has already been partially discharged (apart from the details of the roof plant equipment) under 2016/5496/P dated 30/12/2016. The approved details include render panels rather than the rain screen cladding system (Marley Eternit panels) proposed here.

2.0 Policy Context

NPPF

2.1 Paragraph 56 states that *‘The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.’*

2.2 Within para 58, it is stated that decisions should aim to ensure that developments *‘respond to local character and history, and reflect the identity of local surroundings and materials’* and *‘are visually attractive as a result of good architecture’*.

London Plan

2.3 Policy 7.6 (Architecture) part B(c) requires buildings to *‘comprise details and materials that complement, not necessarily replicate, the local architectural character’*.

LDF

2.4 Policy CS14 of the Core Strategy requires *‘development of the highest standard of design that respects local context and character.’*

2.5 Policy DP24 requires all developments *‘to be of the highest standard of design’* including *‘the quality of materials to be used’*. Within the promoting good design section, para 24.7 states development should consider *‘the compatibility of materials, their quality, texture, tone and colour’*. Para 24.16 states that *‘Schemes should incorporate materials of an appropriately high quality. The durability and visual attractiveness of materials will be carefully considered along with their texture, colour and compatibility with existing materials.’*

Camden Local Plan

2.6 Policy D1 is consistent with DP24 in that it seeks high quality design in development. All development should respect local context and character and comprise details and materials that are of high quality (in terms of durability and visible attractiveness along with the texture, colour and tone of materials) and complement the local character.

CPG1 (Design)

2.7 Chapter 2 of CPG1 states that Camden is committed to excellence in design, including the materials used. High quality design is subject to detailing and materials, as mentioned in para 2.8. The importance of materials is expanded in para 2.12 – *‘Materials should form an integral part of the design process and should relate to the character and appearance of the area.’*

Kentish Town Neighbourhood Plan

2.8 Policy D3 states that proposals must be based on a comprehensive understanding of the site and its context, be well integrated into the surroundings and reinforce and enhance local character, identify and draw upon key aspects of character from the surrounding area and proposals must be of the highest quality and use materials that complement the existing palette of materials in the surrounding buildings.

3.0 Assessment

Rain screen cladding (Marley Eternit panels)

3.1 The size of the panels within the submitted documents is unclear. Some of the proposed drawings are scaled at 1:5, others at 1:10 and the remainder at 1:100. The panels shown on each scale of drawing measure differently, making it impossible to ascertain their actual size.

3.2 As above, the window reveal and windows show a different size depending on the drawing used to measure.

3.3 The lack of accurate or consistent information prevents officers from being able to properly determine the application and therefore forms a reason for refusal, based on insufficient information. The failure to provide accurate information means the proposal would have an adverse impact on the character and appearance of the host building and wider area. This is contrary to the policies listed in section 2 (above), but most importantly policies CS14 and DP24 of the LDF and policy D3 of the Kentish Town Neighbourhood Forum Neighbourhood Plan.

3.4 Turning to the quality of the proposed cladding system, the construction of the building would mean each of the modular panels would be hung to the façade with a 10mm gap around each module. The gap between the modules would betray the construction technique and result in a

building which appears to have a veneer façade rather than a more traditional construction appearance (i.e. as would be achieved with render). This is considered to reduce the robust nature of the original design and harm the appearance of the building in its context.

- 3.5 The proposed cladding material is considered to be at odds with the other white rendered buildings in the street. Whilst it is acknowledged that the proposal would provide some variety; the use of a white render (as approved under 2016/5496/P dated 30/12/2016) would match others in the street and provide a level of consistency rather than adding an unsympathetic material to the area.
- 3.6 Furthermore, the proposed material is not considered to weather as successfully as more traditional render in the long-term. The manmade materials would stain more easily and its finish is considered to not weather as successfully as render.
- 3.7 For the reasons above, it is considered that the proposed material, by reason of its design, size and finish, would impact detrimentally on the character and appearance of the host and surrounding buildings. It is therefore contrary to the policies listed in section 2 (above), in particular CS14 and DP24 of the LDF and policy D3 of the Kentish Town Neighbourhood Forum Neighbourhood Plan.

Other materials

- 3.8 The other elements of the proposal (including the aluminium expanded mesh), are in accordance with the application granted under 2016/5496/P dated 30/12/2016. No objection is raised to the principle of them in isolation; however, they are not compatible with the unacceptable Marley Eternit panels and the drawings are insufficient as explained above.

4.0 Recommendation: Refuse the Details



