

<b>Delegated Report</b> (Refusal)		Analysis sheet		Expiry Date:		02/03/2020	
		N/A		Consultation Expiry Date:		13/04/2020	
<b>Officer</b>				<b>Application Number(s)</b>			
Obote Hope				2020/0046/P			
<b>Application Address</b>				<b>Drawing Numbers</b>			
2-12 Harmood St & 34 Chalk Farm Road London NW1 8DJ				Refer to 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>							
Erection glazed link extensions, new lift shaft including the increase in height of existing flue/ventilation duct all associated with the additional student accommodation (sui-generis) at roof level.							
<b>Recommendation:</b>		Refuse planning permission					
<b>Application Type:</b>		Full Planning Permission					
<b>Conditions or Reasons for Refusal:</b>		Refer to Decision Notice					
<b>Informatives:</b>							
<b>Consultations</b>							
<b>Adjoining Occupiers:</b>		No. notified	00	No. of responses	00	No. of objections	00
				No. electronic	00		
<b>Summary of consultation responses:</b>		Multiple site notices were displayed on Harmood Street and Hartland Road from 20/03/2020 to 13/04/2020.					
<b>CAAC/Local groups comments:</b>		None consulted and no comments received.					

## Site Description

The application relates to a site located between Harmood Street and the rear of residential properties on Hartland Road. The site incorporates a 3-storey building fronting Chalk Farm Road adjacent to the Lock Tavern Public House. The site is not within a conservation area, but the Harmood Street Conservation Area (designated in 2005) adjoins the site to the north, which forms the backbone of the conservation area according to the conservation area appraisal and includes those properties to the west, on the opposite side of Harmood Street. Most of the site is located within the Kentish Town Area and the part of the site fronting Chalk Farm Road is within the Camden Town Centre.

The site has been the subject of numerous unauthorised works and the building now built, differs significantly from the plans approved under the 2008 planning permission (2008/2981/P). Moreover, extra rooms have unlawfully been created at basement level for student accommodation.

## Relevant History

**2020/1192/P** - Conversion of lower ground floor storage/utility rooms for the provision of 7 x additional student accommodation (Sui Generis). Granted subject to s106 agreement. Currently being considered.

**2013/4467/P** - Erection of rear extension at 4th floor level to provide two additional student units associated with existing accommodation (Class C2). Granted subject to s106 agreement. Which is currently unsigned.

**2013/0392/P** – Variation of condition 11 (approved plans) of planning permission 2008/2981/P granted 23/09/2008 (Erection of a part 2, part 4-storey building with two basement levels to provide student accommodation comprising 192 self-contained study rooms and ancillary facilities (Sui Generis) following demolition of existing. Refused on 15/01/2014.

**2008/2981/P** - Erection of a part 2, part 4-storey building with two basement levels to provide student accommodation comprising 192 self-contained study rooms and ancillary facilities (Sui Generis) (following demolition of existing buildings) – Granted subject to a Section 106 Agreement.

**2012/5639/P** - The erection of a roof extension to provide an additional five single occupancy student accommodation units to the existing building. Refused 24/12/2012

**2012/0974/P** - 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. Granted subject to s106.

Various applications for approval of details and non-material amendments – determined between 2009 and 2012.

**EN12/0622 & EN12/0998** - Development not being constructed in accordance with the approved plans or the approved CMP – both cases completed

**EN17/0341**- Creation of 7 extra rooms in basement. Closed 09/06/2017

## Relevant policies

**National Planning Policy Framework 2019**

**London Plan 2016**

**Draft New London Plan 2019**

**Camden Local Plan 2017**

Policy A2 Open space  
Policy A3 Biodiversity  
Policy A4 Noise and vibration  
Policy C1 Health and wellbeing  
Policy C5 Safety and security  
Policy C6 Access for all  
Policy E1 Economic development  
Policy E2 Employment premises and sites  
Policy A1 Managing the impact of development  
Policy D1 Design  
Policy CC5 Waste  
Policy H1 Maximising housing supply  
Policy H6 Housing choice and mix  
Policy H9 Student housing  
Policy T1 Prioritising walking, cycling and public transport Policy  
Policy T2 Parking and car-free development  
Policy T3 Transport infrastructure  
Policy T4 Sustainable movement of goods and materials  
Policy DM1 Delivery and monitoring  
Policy G1 Delivery and location of growth

### **Camden Planning Guidance (CPG)**

- [CPG 2 Housing \(2019\)](#)
- [CPG Interim Housing \(2019\)](#)
- [CPG Amenity \(2018\)](#)
- [CPG Biodiversity \(2018\)](#)
- [CPG Employment sites and business premises](#)
- [CPG Planning for health and wellbeing](#)
- [CPG Public Open Space](#)
- [CPG Design \(2019\)](#)
- [CPG 3 Sustainability \(July 2015 updated march 2018\)](#)
- [CPG 6 Amenity \( September 2011 updated March 2018\)](#)
- [CPG 7 Transport \(September 2011\)](#)
- [CPG 8 Planning obligations \(July 2015 updated March 2018\)](#)

**Harmood Street Conservation Area Statement September 2005**

## **Assessment**

### **1.0 Background**

1.1 Planning permission was granted for the erection of a part 2, part 4-storey building with two basement levels to provide student accommodation comprising 192 self-contained study rooms and ancillary facilities. In 2012 the site was extended, with the resulting student accommodation comprising a mix of 18 single person studios, 6 disabled units, 5 twins and 11 x 3-bed cluster units providing 67 bedspaces in total. The development intended to form an extension to the 192-unit Harmood Street development and a total of 230 student accommodation. Access to the units would be through the reception area of the adjacent development to the rear of 34 Chalk Farm Road.

1.2 The 2013 (2013/4467/P) planning application for the roof extension has been implemented without planning permission due to the applicant not entering into a s106 legal agreement. However, the proposed roof extension is to provide an additional 2 x single occupancy student accommodation units on the roof level of the existing building and an external fire escape and the metal railings linking the former Esso garage development to the existing building. The proposal has been partially implemented; the external fire escape has been constructed and an application has not been submitted to regularise the breach in planning control and the matter is under investigation by Camden's Enforcement Team.

1.3 An enforcement notice case was opened (EN17/0341) against the creation of seven additional rooms at basement level and therefore the works are a breach of planning control and the unauthorised works were investigated by Camden's Enforcement Team. No action has been taken to date.

### **2.0 The Proposal**

2.1 The application proposes the erection of a roof extension to provide an additional room of student accommodation with a link corridor extension proposed to connect with the unauthorised roof extension and 2 x additional rooms for the provision of seven new student accommodation units. The proposed student accommodation would measure:

- 6.2m in depth, 4.4m in width and 2.5m in height.

2.2 The proposed link building along Harmood Street elevation would measure:

- 16.7m in depth, 1.3m in width and 3.0m at its highest point.

2.3 The proposed lift lobby and store enclosure would measure;

- 12.6m in depth, 3.7m in width and 2.5m in height

### **3.0 Assessment**

The main planning matters have been identified as:

- Land use;
- Design and Appearance;
- Standard of accommodation;
- Amenity;
- Transport;
- Sustainability;
- Enforcement; and
- Community Infrastructure Levy.

## **4.0 Land use**

4.1 There are multiple applications that have been submitted that would result in an increase of 8 students from 230 to 238 bedrooms (2020/1192/P). This proposal is for the erection of a link building and glazed extension associated with an additional student accommodation at roof level and by virtue of their location and access, would form part of the main hall and be subject to the same controls as the existing building in terms of student management and occupancy restrictions as well as no access to on-street car parking. Due to only one unit being created, it is not considered that the proposal would have any significantly harmful issues as a result.

## **5.0 Design and Appearance**

5.1 The proposed 4<sup>th</sup> floor extension would provide an additional storey to a scheme that has already surpassed the original approved scheme following various enforcement action. Officers consider the substantially completed development maximises what is suitable for this particular site. The implemented scheme along Harmood Street has been designed with façade clad in timber and restricted to four storeys. Whilst the eastern end of the top floor would consist of a glazed façade, in this respect the already completed design is considered to be a complete composition. The Council's guidance on roof extensions is clear, stating that roof extensions are unlikely to be acceptable where the building is a complete composition and carefully responding to the scale, massing and height of adjoining buildings, the general pattern of heights in the surrounding area (para 2.11 of CPG – Design).

5.2 Along the Hartland Road elevation the proposed roof extension would further detract from the established elevation, this combined with the addition of the lift shaft, the relocation and increase in height of the extractor flue pipes that would almost double in height to 3.9m would introduce visual clutter to an elevation that would not integrate well with the existing character of a place, building and its surroundings.

5.3 It is proposed to demolish the existing unauthorised covered fire escape for an additional student accommodation. The proposed student accommodation would measure approximately 16.5m in depth, 3m at its highest point and 3m in width. A new lift lobby, store and lift extension are also proposed and combined, the overall new floor space being created would be approximately 80sqm. The existing flues would be increased from 2 to 4m in height.

5.4 Overall, the increased height and massing of the additional extensions would be visually inharmonious and significantly harmful to the character and appearance of the host building, streetscene, surrounding townscape. The proposal would fail to accord with policy D1 (Design) of the Local Plan, which seeks (among other things) to secure high quality design in development that respects local context and character, given the setting with the junction with Chalk Farm Road and Harmood Street. The Local Plan 2017 states that the Council will resist development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. Furthermore, due to the impact of the additional storey on the adjacent Harmood Street Conservation Area, particularly from Harmood Street, it is considered that the proposed development would not preserve the character and appearance of the conservation area as required by policy D2 (Heritage).

5.4 In light of the above considerations, the proposed roof extension, by reason of its bulk, siting and height would be detrimental to the character and appearance of the host building, the Harmood Street elevation and the adjoining Harmood Street Conservation Area.

## **6.0 Standard of accommodation**

6.1 Policy H6 states that new development should provide an acceptable standard of accommodation in terms of internal arrangements, dwelling and room sizes, and amenity space. Whilst policy H9

states has an undertaking in place to provide housing for students at one or more specific education institutions, or otherwise provide a range of accommodation that is affordable to the student body as a whole. There are no prescribed residential standards that apply to student accommodation however, it is pertinent to ensure that occupants have rooms that are appropriately sized with a good level of natural light and access to some outdoor amenity space and communal areas.

6.2 Policy D1n. of the Local Plan requires a high standard of accommodation from development. Paragraph 7.32 of the supporting text requires all residential development to create high quality homes, which have good ceiling heights and room sizes, good natural light and ventilation and to be dual aspect except in exceptional circumstances. The Council's Interim Housing Camden Planning Guidance (CPG) March 2018, provides residential development standards in section 4. Page 62 states:

*'Ceiling heights - A minimum 2.3m headroom for at least 75% of the floor area is required as set out in the Nationally Described Space Standard technical requirements 10(i). Nonetheless, the applicant is strongly encouraged to provide a new home with a ceiling height of 2.5m for at least 75% of its gross internal area (GIA) as set out in the London Housing SPG standard 31.'*

6.3 The proposed student accommodation would cover 29sqm. This is within the range seen in similar student developments coming forward in Camden. However, the quality of the proposed living accommodation is significantly impacted on by the internal ceiling height of 2.25m, which would be severely compromise the proposed unit. The other cause for concern is the heating and cooling hierarchy. It should be noted that the glass walls combined with the low ceiling height may have an impact on the occupant's living standard which would contribute further to the substandard quality of living accommodation that would result for prospective occupiers.

## **7.0 Amenity**

7.1 Development should not cause a loss of amenity to adjacent properties with regard to sunlight, daylight, outlook, overshadowing, light pollution/spillage, privacy/overlooking and sense of enclosure in accordance with CPG 6 and planning policy A1 of the Local Plan.

7.2 The proposed roof extension would be of higher than the height of the roof extension that was refused in 2012 (2012/5639/P) that measured 2.2m in height. No daylight/sunlight assessment was submitted with this scheme and the previous assessment by the officer found *"Whilst not based on wholly accurate information, the proposed roof extension has been identified by the submitted report as worsening the daylight levels which would have been achieved by the approved scheme, which was already considered to be approaching the limits of acceptability in terms of its impact on daylight to neighbouring properties. The application should therefore be refused on the basis it would have a detrimental impact upon the living conditions of the occupiers of residents living along Hartland Road in terms of a loss of daylight serving habitable rooms"*. Thus, in the absence of daylight/sunlight assessment this must form a reason for refusal.

### *Privacy / Outlook*

7.3 The application proposes vertical panels to obscure the outlook of units 1 & 2, which would ensure that the privacy of the occupiers of the dwellings along Hartland Road is retained. The only windows which would be directly overlooked are those on the rear elevation of No.1 Hartland Road, however there is a distance of just over 20m between these windows which is acceptable.

### *Noise*

7.4 The proposed increase in the number of bedrooms and resulting student occupiers (1) would have a negligible impact upon the living conditions of neighbouring residents and the area generally in terms of noise and disturbance.

## **8.0 Transport**

8.1 Policy T1, states that one storage or parking space is required per residential unit. As the proposal is for student accommodation the ratio for cycle parking is reduced to 0.5. The proposal is for one additional residential units; therefore one additional cycle storage/parking spaces are required. This application does not include any proposals of plans to extend the numbers of cycle spaces; however, officers note that this matter could be subject to a planning conditions to ensure that the new unit would not fail to encourage a healthy and more sustainable alternative to the use of the private car.

8.2 The site has a Public Transport Accessibility Level of (PTAL) of 6 (excellent) and is within a Controlled Parking Zone. The proposed development is not proposing any parking requirements and therefore in accordance with planning policy T2 complies with the “car free”. However, in the absence of a legal agreement to secure the new units as car free the application should be refused on this basis.

## **9.0 Sustainability**

Local Plan policy CC1 states that the Council will require all development to minimise the effects of climate change and encourage all developments to meet the highest feasible environmental standards that are financially viable during construction and occupation. All new residential development is required to demonstrate a 19% CO2 reduction below Part L 2013 Building Regulations demonstrating how the energy hierarchy has been applied to make the fullest contribution to CO2 reduction. The applicant has not submitted supporting documentation demonstrating compliance with these requirements, which forms a further reason for refusal.

**Recommendation: Refuse planning permission**