

Application ref: 2020/4673/P
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Date: 20 September 2023

Development Management
Regeneration and Planning
London Borough of Camden
Town Hall
Judd Street
London
WC1H 9JE

Phone: 020 7974 4444

planning@camden.gov.uk
www.camden.gov.uk/planning

Scannell and Scannell
Tudor Road
Barnet
EN5

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted Subject to a Section 106 Legal Agreement

Address:
2 Early Mews
London
NW1 7HG

Proposal:

Demolition of existing single storey lock-up shed building and erection of a 2 storey mews residential property.

Drawing Nos: 2004-A-00-LP; 2004-A-00-01 rev A; 2004-A-00-02 rev A; 2004-A-00-03 rev A; 2004-A-10-02 rev H; 2004-A-10-03 rev E; 2004-A-10-05 rev C; Daylight and Sunlight Report (Within Development) prepared by Right of Light Consulting dated 06/08/2021.

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 development hereby permitted shall be carried out in accordance with the

following approved plans:

2004-A-00-LP; 2004-A-00-01 rev A; 2004-A-00-02 rev A; 2004-A-00-03 rev A; 2004-A-10-02 rev H; 2004-A-10-03 rev E; 2004-A-10-05 rev C; Daylight and Sunlight Report (Within Development) prepared by Right of Light Consulting dated 06/08/2021.

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

- 3 Before the relevant part of the work is begun, detailed drawings, or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the local planning authority:

a) Details including sections at 1:10 of all windows (including jambs, head and cill), rooflights, ventilation grills, external doors and gates;

b) Manufacturer's specification details of all facing materials including the fenestration and doors (to be submitted to the Local Planning Authority) and samples of those materials (to be provided on site or via high-resolution email photographs if site viewing is not possible). Samples of materials to be provided at a suitable size (eg. 1x1m) and alongside all neighbouring materials;

c) A sample panel of the existing and proposed new facing brickwork demonstrating the proposed colour, texture, face-bond, mortar mix and pointing. Samples of materials to be provided at a suitable size (eg. 1x1m) and alongside all neighbouring materials.

The relevant part of the works shall be carried out in accordance with the details thus approved and all approved samples shall be retained on site during the course of the works.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy D1 of the London Borough of Camden Local Plan 2017.

- 4 No lights, meter boxes, flues, vents or pipes, and no telecommunications equipment, alarm boxes, television aerials, satellite dishes or rooftop 'mansafe' rails shall be fixed or installed on the external face of the buildings.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy D1 of the London Borough of Camden Local Plan 2017.

- 5 The flat roof of the new development hereby approved shall be accessed for maintenance purposes only and shall not be used as a roof terrace.

Reason: To safeguard the amenities of the future occupiers and adjoining neighbours in accordance with the requirements of policy A1 of the Camden Local Plan 2017.

- 6 The development hereby approved shall achieve a maximum internal water use of 105 litres/person/day, and 5 litres/person/day for external water use. The dwelling shall not be occupied until the Building Regulation optional

requirement has been complied with.

Reason: To ensure the development contributes to minimising the need for further water infrastructure in an area of water stress in accordance with policies CC1, CC2 and CC3 of the London Borough of Camden Local Plan.

- 7 Prior to commencement of development other than site clearance and preparation, full details in respect of the living roof in the area indicated on the approved roof plan shall be submitted to and approved by the local planning authority. The details shall include
 - i. a detailed scheme of maintenance
 - ii. sections at a scale of 1:20 with manufacturers details demonstrating the construction and materials used
 - iii. full details of planting species and density

The living roofs shall be fully provided in accordance with the approved details prior to first occupation and thereafter retained and maintained in accordance with the approved scheme.

Reason: In order to ensure the development undertakes reasonable measures to take account of biodiversity and the water environment in accordance with policies A3, CC2 and CC3 of the London Borough of Camden Local Plan 2017.

- 8 Secure and covered cycle storage areas for 2 cycle spaces shall be provided in accordance with the approved plan 2004-A-10-02 rev H. The approved facilities shall be provided in their entirety prior to the first occupation of any of the new units and permanently retained and maintained thereafter.

Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of policy T1 of the London Borough of Camden Local Plan 2017.

- 9 All non-Road mobile Machinery (any mobile machine, item of transportable industrial equipment, or vehicle - with or without bodywork) of net power between 37kW and 560kW used on the site for the entirety of the demolition and construction phase of the development hereby approved shall be required to meet Stage IIIB of EU Directive 97/68/EC. The site shall be registered on the NRMM register for the demolition and construction phase of the development.

Reason: To safeguard the amenities of the adjoining occupiers, the area generally and contribution of developments to the air quality of the borough in accordance with the requirements of policies A1, CC1 and CC4 of the London Borough of Camden Local Plan 2017.

- 10 Prior to the occupation of the development hereby approved the windows in the rear elevation shall be fitted with obscure glazing up to an internal floor height of 1.7m and shall be maintained and retained thereafter.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of policies A1 and D1 of the London Borough of Camden Local Plan 2017.

- 11 Prior to occupation the development hereby approved shall achieve 'Secured by Design' accreditation to ensure that all the risks have been identified and mitigation measures are incorporated, installed and retained thereafter.

Reason: To safeguard the well-being of future occupiers by reducing crime, fear or crime and anti-social behaviour in line with policy C5 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Reasons for granting permission.

Permission is sought for the erection of a new 2 storey building to be occupied as a single family dwelling. The new building would occupy the entire footprint of the site similar to the existing outbuilding. The lock-up outbuilding appears to have originally been used by the commercial units fronting Inverness Street who have an interest in the land (outlined in blue on the site location plan). In terms of ownership it has been a separate site for decades but would still be considered to have an authorised use of ancillary storage space to the commercial units fronting Inverness Street (Class E use). The applicant has confirmed that no. 24 Inverness Street has its own yard that is accessed at basement level. The loss of a single storey building providing 43 sq. m of Class E floorspace that fronts onto a mews is considered acceptable in this location.

Self-contained housing is regarded as the priority land use of the Camden Local Plan and policy H1 states that the Council will make housing its top priority when considering the future of underused land and buildings. The proposal includes one 2 bed single family dwelling. The provision of additional residential floorspace within the Borough is strongly supported by policy H1. The principle of building a new building on the site is considered acceptable subject to its overall height, massing, form, scale, footprint and detailed design (see relevant sections below).

Housing mix and Unit size:

Policy H6 advises that the Council seeks to secure a variety of housing suitable for existing and future occupiers across development in the Borough. Policy H7 seeks to provide a range of unit sizes to meet demand across the Borough. The new dwelling would create a new 2 bed 3 person dwelling measuring 70 sq. m. This would meet the minimum floorspace requirements according to the London Plan in terms of size and layout for 2 bed 3 person units. Concerns were originally raised by officers in relation to the quality of the accommodation and the lack of daylight into the habitable rooms within the central part of the dwelling. Amendments have been made to the scheme to introduce a central light shaft within the building that would ensure the new accommodation has good access to natural light and ventilation.

Quality of accommodation:

The ground floor front elevation would include 3 window openings and timber framed door with one modestly sized simple sash window at first floor level. Due to the context of the site and its full site coverage, it would not be possible

to introduce standard sized windows on the rear elevation of the new building. High level windows would be installed to ensure privacy to the buildings to the rear that front onto Inverness Street. This would result in the new dwelling being single aspect with the new window openings facing north. Although compromised in terms of light, the habitable rooms would be of an acceptable size and light would be received into the front habitable rooms with the rear part of the building receiving adequate light from the high level windows and large roof lights.

At ground floor level the building would be set back from Early Mews by 1m to provide a small external outside amenity space which is welcomed. Its size and design is considered acceptable. The amenity space would also ensure the new dwelling has some defensible outside space rather than fronting straight onto the mews.

2 Daylight and sunlight:

Since the submission of this application the BRE daylight and sunlight guide for the assessment of daylight and sunlight for new development has been updated in June 2022. Given the historic nature of the application it would be considered unreasonable to require further daylight and sunlight testing to be carried out at this stage so the assessment of the quality of daylight received by the new dwelling would be based on the older 2011 BRE guidance. All habitable rooms have been assessed for good levels of light. They would meet and exceed the Average Daylight Factor (ADF) targets. Due to the orientation of the building the main windows on the front elevation that serve habitable rooms are north west facing. The report demonstrates that the habitable rooms would receive reasonable levels of sunlight (APSH).

Privacy and outlook:

The new dwelling would be located opposite the 6 storey building known as Arlington House which is Grade II listed. The listed building would be within approx.. 6m of the front elevation of the new dwelling. There are window openings within the southern side elevation of Arlington House that face onto the site. One window that serves an office use within the lower ground floor of Arlington House would face onto the window openings of the new dwelling. Taking into consideration the use of the neighbouring commercial building, as well as the separation distance between the windows, it is considered that there would be no harmful levels of overlooking into the habitable rooms within the front elevation of the new dwelling. The windows in the rear elevation of the new dwelling would be high level windows that would be obscure glazed. There would be no overlooking from neighbouring windows into these rear windows that would result in loss of privacy. Outlook from the new dwelling would mainly be confined to the front elevation with windows looking out onto the mews. This is not ideal, given the nature of the mews as a service yard type access to the other mainly commercial uses along Early Mews. In spite of this, the quality of the new dwelling would be of a satisfactory standard in terms of its size, layout, daylight, sunlight and privacy and it would be difficult to sustain a reason for refusal on grounds of outlook.

Refuse and recycling:

Refuse storage would be provided at ground floor level within the new building. The proposal would meet the requirements and would be considered

acceptable.

Affordable housing:

Policy H4 seeks to maximise the supply of affordable housing and has a sliding scale target that requires an additional 2% affordable housing per capacity for each additional home with an uplift of over 100 sq. m. As the proposed uplift in floorspace is 70 sq. m it falls below this threshold therefore there would be no requirement for an affordable housing contribution.

Design:

Permission is sought for the demolition of the existing single storey outbuilding. The site is not within a conservation area and is located within a gated mews. The outbuilding is of no architectural merit and there is no objection to its demolition subject to its replacement with a building of appropriate character and high quality design.

The height of the building would be similar to the neighbouring buildings within this part of the gated mews including nos. 5 and 7-8 Early Mews that are also 2 / 3 storeys in height. The width of the new development is restricted by the width of the existing plot which follows the general pattern along this part of Early Mews and Inverness Street to the rear. The overall height, bulk and mass of the new building would be characteristic of the street and would be considered acceptable. In order to ensure that the roof of the dwelling is clean and clutter free a condition would be attached requiring the submission of an application to install any aerals or electrical equipment.

- 3 A number of revisions have been made to the proposal to simplify its design and incorporate features that are more reflective of its mews location. The new building would be 2 storeys in height with a flat roof. The elevations of the building would be constructed from London stock brick with simple regular fenestration. The materiality would integrate the building more closely with the prevailing 20th century brick built buildings of the surroundings. A condition would be attached requiring details of all finishing materials to be submitted.

The ground floor front elevation would include 3 window openings and timber framed door with one modestly sized simple sash window at first floor level. This simple fenestration pattern would be similar to other mews-type developments within the mews and would be considered acceptable. A condition would be attached requiring details of the new windows and doors (including rooflights) to be submitted.

The designing out crime officer has raised concerns about safety and anti-social behaviour for any new residential development being created within the mews which serves mainly commercial uses. The applicant has confirmed that security measures would be installed including security cameras, motion sensor video and audio doorbells, a gate and CCTV to the mews, along with high-level security locks to the building. In order to ensure that the new dwelling provides a secure environment for future occupiers a condition and informative would be attached requiring the proposal to achieve "Secure by Design" accreditation.

AMENITY

Overlooking:

The new dwelling would not include window openings in the side elevations. The new windows in the rear elevation would be high level windows and would be obscured glazed which would restrict any potential overlooking into neighbouring windows of properties along Inverness Street. A condition would be attached to secure this in line with the approved drawings. The windows in the front elevation would face onto the windows at lower ground and ground floor levels in Arlington House that serve ancillary uses to the hostel use (office space). The relationship with the hostel use within the building is considered acceptable. Overall the proposal would not result in any additional harmful overlooking to neighbouring occupiers. Given that the roof of the new dwelling would be flat, any use of the roof as an external amenity space would result in direct overlooking into windows and terraces of neighbouring residential flats. A condition would be attached to ensure that the roof is only accessed for maintenance purposes.

Daylight, sunlight and outlook:

No. 194-198 Arlington Road lies to the west of the application site and has an authorised use as self-contained flats. It appears to currently be in use as serviced apartments. There are windows in the rear elevation of this building that include the lower ground and ground floor levels. The rear window at lower ground floor level is approximately 7m away from the western side boundary of the application site. The new residential building would not extend beyond the ground floor rear elevation of this building and would not have an impact on the daylight or sunlight to this window. There are ground floor glazed double door openings on the rear elevation serving bedrooms within each of the 2 ground floor flats. The glazed double door that lies to the southwest is angled away from the application site so there would be no harmful loss of daylight, sunlight or outlook to the bedroom that is served by this door opening. The new building would be increased in height by 2.5m. This increase in height would have an impact on the daylight to the ground floor glazed double door that serves a bedroom of one of the ground floor flats. The proposed western elevation of the new building would be located within 3m from these doors.

- 4 It must be noted that the existing ground floor bin store that serves 194-198 Arlington Road lies within 0.5m of these double doors and 2m high brick wall that bounds the site to the rear as well as a 1.8m high timber fence already restricts light and outlook to the bedroom and external amenity space of the ground floor 2 bed flat. Only a modest section of the top of the new building would break the 25 degree line in elevation when taken from the nearest ground floor double door opening in the rear elevation.

Taking this into consideration as well as the fact that the bedroom is served by a fully glazed double door opening and the fact that the other habitable rooms of this flat appear to be served by windows that receive good levels of daylight, the proposal would not result in a detrimental impact to the amenity of the flat as a whole and would be considered acceptable. As already advised, the outlook from the ground floor window of this flat is restricted by the existing boundary treatment. It is acknowledged that the proposal would add to the feeling of enclosure from the bedroom due to the increase in height. However, given the location of the flat at ground floor level and the fact that the outlook

from the flat and its external terrace is already confined by the existing boundary treatment, the proposal would not be considered to result in further detrimental harm to this outlook and is considered acceptable.

There would be no harmful loss of light or outlook to Arlington House, the hostel building to the north. The 2 affected windows on the lower ground / ground floor side elevation serve an office foyer so only limited weight would be attached to protecting amenity for non-habitable rooms for this type of use and the proposal would be considered to have an acceptable relationship with this building.

The proposal would not have an adverse impact on the daylight, sunlight or outlook of other neighbouring occupiers.

SUSTAINABILITY

Demolition:

Although a condition and feasibility study of the existing lock-up brick building has not been provided, it is clear that the building has fallen into a state of disrepair. Due to the age, nature and condition of the outbuilding, its retention and refurbishment is not considered a viable or appropriate option. It may technically be possible to refurbish and extend the outbuilding however the footings would need to be reinforced, front and rear elevations replaced to include window and door openings, the building would need to be fully insulated, and the flat roof would require replacement / strengthening to accommodate an additional storey. In this instance the demolition and replacement of the existing building is considered acceptable with regards to policy CC1.

Air quality:

Non-road mobile machinery (NRMM) is a significant contributor to London's air pollution. Machinery used during demolition and construction needs to meet the Low Emission Zone standards set by the Mayor of London to help control air pollution. A condition would be attached to ensure the relevant standards are met.

In order to ensure that the development does not increase flood risk as noted in policy CC3 a condition would be attached ensuring that the new dwelling would be capable of achieving a maximum internal water use of 105 litres per day (including 5 litres for external water use).

The existing building has full site coverage so offers little in the way of drainage; nonetheless, the development provides an opportunity to improve on this and reduce flood risk in the area. The flat roof of the building provides potential for a green roof. A condition would be attached securing the details of the green roof to be submitted.

Thames Water has confirmed that there would be no objection to the proposal with regards to waste water network and sewage treatment. Comments have been made that would be attached as informatives.

5 TRANSPORT

Cycle parking:

The proposal would require the provision of 2 spaces in line with policy T1 of the Camden Local Plan. Whilst the submitted plans indicate that 2 cycles would be accommodated beneath the stairs, it is understood that Building Regulations prevent the use of under stair storage for cycle parking. Nevertheless, it is considered that sufficient space exists within the ground floor of the proposed dwelling to satisfactorily accommodate 2 bikes. Given the constraints of this particular site, the requirement for formal cycle parking facilities would not be required in this instance.

Car free development:

The proposed new residential unit would be required to be car-free which would be secured by s106 legal agreement. This would prevent the future occupants from adding to existing on-street parking stress in the surrounding area as well as traffic congestion and air pollution, whilst encouraging the use of more sustainable modes of transport such as walking, cycling and public transport in line with policy T2 of the Camden Local Plan.

Construction management plan (CMP):

Whilst the proposed demolition works are unlikely to be difficult to manage, given the site's location within Camden Town and the restricted nature of the access from Arlington Road, it is considered that it is appropriate to secure a Construction Management Plan and associated Implementation Support Contribution of £3,136 and Impact Bond of £7,500 by means of the s106 legal agreement. This will help ensure that the entire development can take place in a suitably managed way without unduly affecting the operation of the local highway network or local residential amenity.

No objections were received prior to making this decision. The planning history of the site has been taken into account when coming to this decision.

As such, the proposed development is in general accordance with policies G1, H1, H4, H6, H7, C5, C6, A1, A2, A3, D1, CC1, CC2, CC3, CC4, CC5, T1, T2, and T4 of the London Borough of Camden Local Plan policies 2017. The proposed development also accords with policies of the London Plan 2021 and the National Planning Policy Framework 2021.

- 6 This approval does not authorise the use of the public highway. Any requirement to use the public highway, such as for hoardings, temporary road closures and suspension of parking bays, will be subject to approval of relevant licence from the Council's Streetworks Authorisations & Compliance Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No 020 7974 4444). Licences and authorisations need to be sought in advance of proposed works. Where development is subject to a Construction Management Plan (through a requirement in a S106 agreement), no licence or authorisation will be granted until the Construction Management Plan is approved by the Council.
- 7 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that 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, Judd St, Kings Cross, London NW1 2QS

(tel: 020-7974 6941).

- 8 Your proposals may be subject to control under the Party Wall etc Act 1996 which covers party wall matters, boundary walls and excavations near neighbouring buildings. You are advised to consult a suitably qualified and experienced Building Engineer.
- 9 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website (search for 'Camden Minimum Requirements' at www.camden.gov.uk) or contact the Council's Noise and Licensing Enforcement Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444)

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 must secure the approval of the Council's Noise and Licensing Enforcement Team prior to undertaking such activities outside these hours.

- 10 If a revision to the postal address becomes necessary as a result of this development, application under Part 2 of the London Building Acts (Amendment) Act 1939 should be made to the Camden Contact Centre on Tel: 020 7974 4444 or Environment Department (Street Naming & Numbering) Camden Town Hall, Argyle Street, WC1H 8EQ.
- 11 You are advised that Section 44 of the Deregulation Act 2015 [which amended the Greater London Council (General Powers) Act 1973]] only permits short term letting of residential premises in London for up to 90 days per calendar year. The person who provides the accommodation must be liable for council tax in respect of the premises, ensuring that the relaxation applies to residential, and not commercial, premises.
- 12 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.
- 13 The correct street number or number and name must be displayed permanently on the premises in accordance with regulations made under Section 12 of the London Building (Amendments) Act 1939.
- 14 Waste:
A Ground Water Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Thames Water would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to

Thames Water's Risk Management Team by contacting 0203 577 9483 or by emailing trade.effluent@thameswater.co.uk. Application forms should be complete online via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.

15 Water:

Thames Water will aim to provide customers with a minimum pressure of 10m head (approx. 1 bar) and a flow rate of 9 litres / minute at the point where it leaves Thames Water pipes. The developer should take account of this minimum pressure in the design of the proposed development.

- 16 In conjunction with condition 11 you are advised to consult with the Designing Out Crime Office of the Metropolitan Police to ensure adequate security and safety measures are provided as part of the development hereby approved. The following link gives advice on what can be achieved - https://www.securedbydesign.com/images/downloads/HOMES_BROCHURE_2019.pdf and <https://www.securedbydesign.com/>

- 17 You are advised the developer and appointed / potential contractors should take the Council's guidance on Construction Management Plans (CMP) into consideration prior to finalising work programmes and must submit the plan using the Council's CMP pro-forma; this is available on the Council's website at <https://beta.camden.gov.uk/web/guest/construction-management-plans> or contact the Council's Planning Obligations Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444). No development works can start on site until the CMP obligation has been discharged by the Council and failure to supply the relevant information may mean the council cannot accept the submission as valid, causing delays to scheme implementation. Sufficient time should be afforded in work plans to allow for public liaison, revisions of CMPs and approval by the Council.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2021.

You can find advice about your rights of appeal at:

<https://www.gov.uk/appeal-planning-decision>.

If you submit an appeal against this decision you are now eligible to use the new [submission form](#) (Before you start - Appeal a planning decision - GOV.UK).

Yours faithfully

A handwritten signature in black ink, appearing to read 'DPope', is positioned above the printed name.

Daniel Pope
Chief Planning Officer