

# 2023/1450/P

## 4 Murray Mews



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**2023/1450/P**

**4 Murray Mews – Photos and Plans**



Fig 1. Aerial View of 4 Murray Mews (vacant site).



Fig 2. Existing front elevation.



**2023/1450/P**

**4 Murray Mews – Photos and Plans**



Fig 3. Proposed front (north) elevation.



Fig 4. Proposed side (west) elevation.

**2023/1450/P**

**4 Murray Mews – Photos and Plans**



Fig 5. Proposed rear (south) elevation.

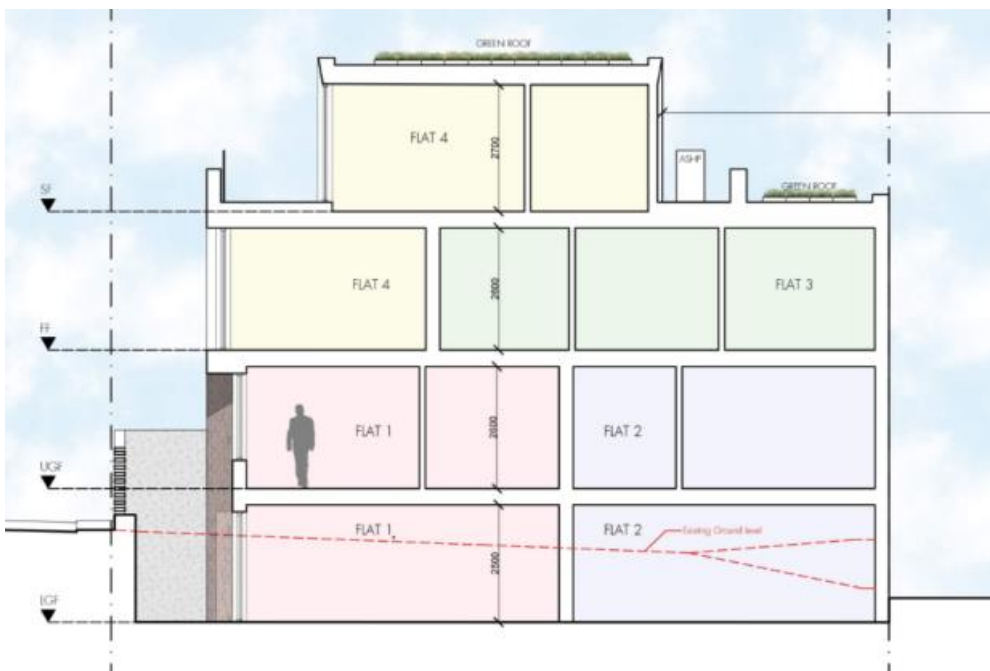


Fig 6. Proposed section.

2023/1450/P

4 Murray Mews – Photos and Plans

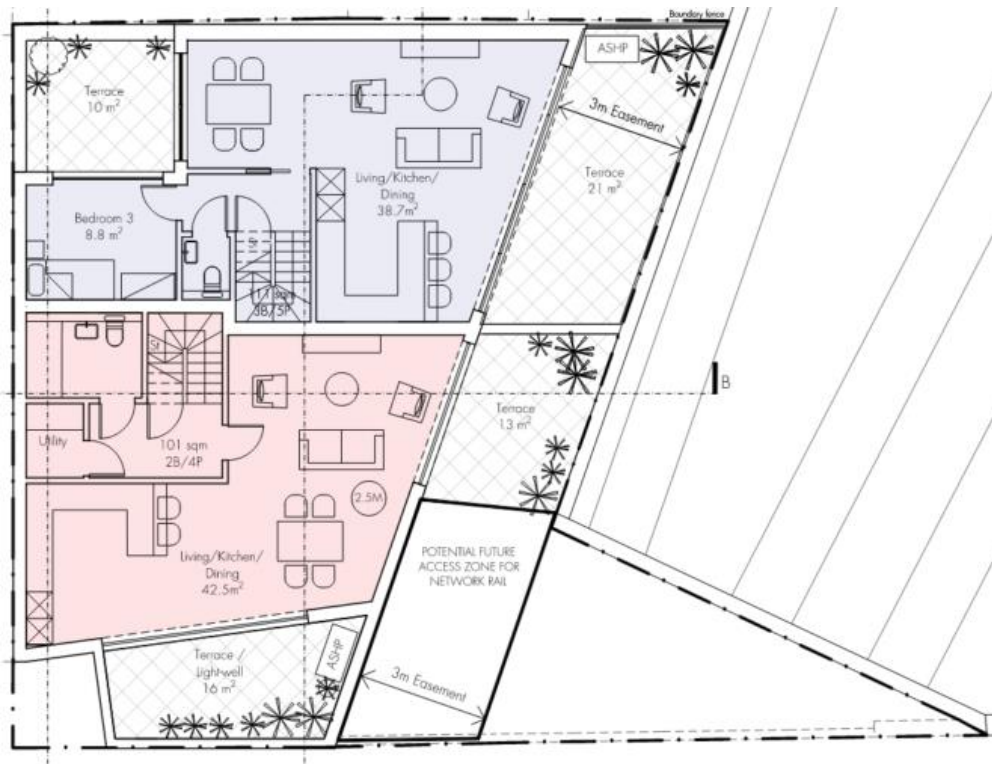


Fig 7. Proposed lower ground floor plan.

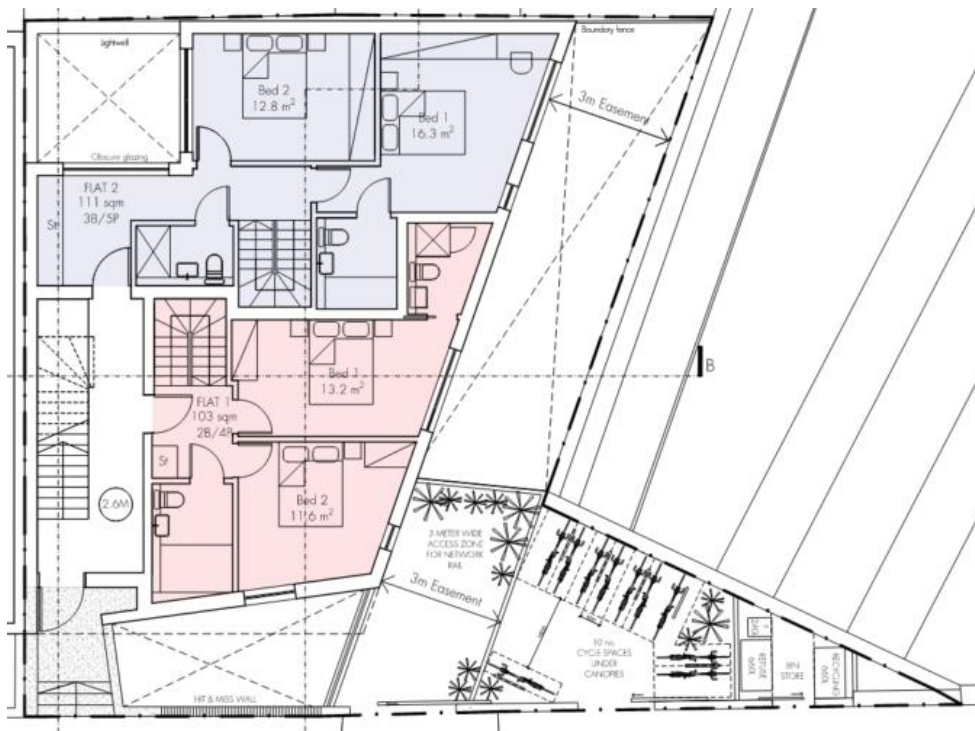


Fig 8. Proposed ground floor plan.

**2023/1450/P**

**4 Murray Mews – Photos and Plans**

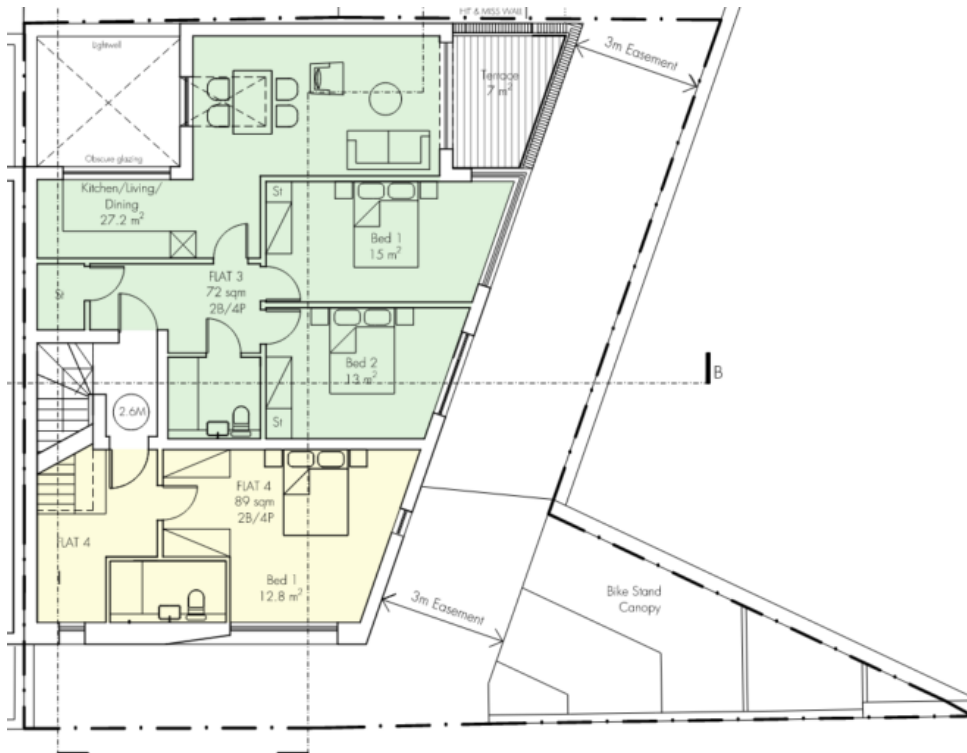


Fig 9. Proposed first floor plan.

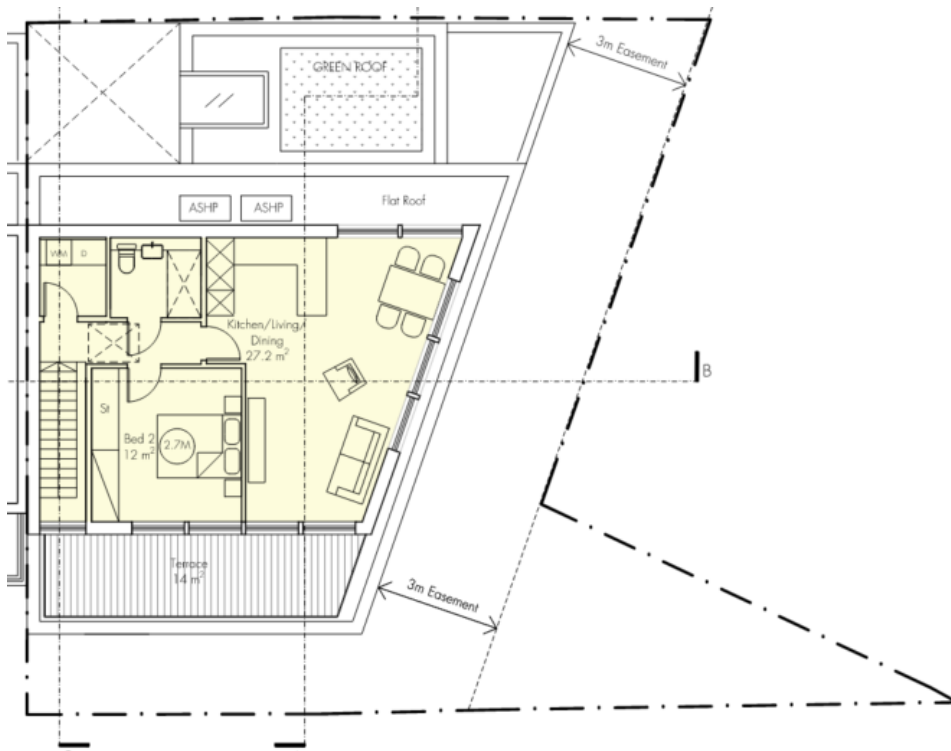


Fig 10. Proposed second floor plan.

<b>Delegated Report</b> (Members Briefing)		Analysis sheet		Expiry Date:		31/05/2023	
		N/A / attached		Consultation Expiry Date:		11/06/2023	
<b>Officer</b>				<b>Application Number(s)</b>			
Daren Zuk				2023/1450/P			
<b>Application Address</b>				<b>Drawing Numbers</b>			
4 Murray Mews London NW1 9RJ				See draft 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>							
Partial demolition of the front boundary wall, excavation of the existing vacant site and the erection of a part 3/part 4-storey building to provide four self-contained residential flats (Class C3), including associated cycle and refuse storage.							
<b>Recommendation(s):</b>		Grant Conditional Planning Permission subject to Section 106 legal agreement					
<b>Application Type:</b>		Full Planning Permission					
<b>Conditions or Reasons for Refusal:</b>		Refer to Draft Decision Notice					
<b>Informatives:</b>							
<b>Consultations</b>							
<b>Adjoining Occupiers:</b>		No. of responses		02		No. of objections	
						02	
<b>Summary of consultation responses:</b>		Site Notice: displayed 12/05/2023, expired 05/06/2023 Press Notice: published 18/05/2023, expired 11/06/2023  Two responses objecting to the proposal were received from neighbouring occupiers. The concerns are summarised below: <ul style="list-style-type: none"> <li>• Basement impacts</li> <li>• Groundwater flooding</li> <li>• Construction impacts</li> <li>• Impacts from number of new occupiers</li> <li>• Site should be used for alternative uses</li> </ul>					

	<p><b><u>Officer's Response:</u></b></p> <ul style="list-style-type: none"> <li>• <i>Basement considerations are discussed in Section 8.</i></li> <li>• <i>Construction impacts are discussed in Section 10.</i></li> <li>• <i>Amenity impacts are discussed in Section 9.</i></li> <li>• <i>Land use suitability is discussed in Section 1.</i></li> </ul>
<b>Camden Square CAAC</b>	<p>The Camden Square CAAC was consulted and objected to the proposal. A summary of their objection is as follows:</p> <p><i>"We object to the current proposal, which, like its predecessors of 2004 and 2010, fails to maintain or enhance the conservation area. Constructing a four-storey building in Murray Mews, will erode the significant historical contrast between tall buildings in the main streets and low buildings in the mews, and is contrary to the letter and spirit of the Camden Square Conservation Area Appraisal and Management Strategy."</i></p> <p><b><u>Officer's Response:</u></b></p> <p><i>The design of the proposals and impact on the wider Conservation Area are discussed in Section 7.</i></p>
<b>Network Rail</b>	<p>Network Rail was consulted and objected to the proposal. A summary of their objection is as follows:</p> <p><i>"Network Rail cannot support the proposals in the current format. This is because the development as proposed appears to be partly located on an area of land still in the ownership of Network Rail."</i></p> <p>Network Rail also provided a list of further requirements, including suggested conditions for:</p> <ul style="list-style-type: none"> <li>• Construction Methodology</li> <li>• Drainage</li> <li>• Boundary Treatments, Landscaping, and Lighting</li> <li>• Railway Noise Mitigation</li> </ul> <p><b><u>Officer's Response:</u></b></p> <p><i>The matters and concerns outlined are to be discussed and agreed between the developer and Network Rail directly.</i></p>



## Site Description

The application site is a vacant property located on the southern side of Murray Mews, to the east of the junction with Murray Street. It has been vacant following the demolition of six lock-up garages more than 12 years ago, prior to the implementation of the extant planning permission on the site. The west boundary is shared with Network Rail, with railway tracks running north and south. There is an easement agreement in place with Network Rail restricting construction along a 3-metre zone to the side of both the subject site and neighbouring 3 St Augustine's Road, running parallel to the railway tracks. The easement ensures Network Rail can gain access to their retaining wall.

The site is located within the Camden Square Conservation Area and noted in the management strategy as being a negative contributor to the character and appearance of the Conservation Area.

## Relevant History

**2004/2616/P** – Demolition of existing 6 lock-up garages fronting Murray Mews and construction of a building comprising 1 x 2-bedroom maisonette and 3 x 1-bedroom flats including 1 car parking space.  
**Granted 13/05/2005**

**2010/1303/P** – Renewal of planning permission granted on 12/05/2005 (2004/2616/P) for erection of building comprising 1 x 2-bedroom maisonette and 3 x 1-bedroom flats including 1 car parking space.  
**Granted 03/11/2010**

## Relevant Policies

### National Planning Policy Framework (2023)

### The London Plan (2021)

### Camden Local Plan (2017)

- G1 Delivery and location of growth
- H1 Maximising housing supply
- H4 Maximising the supply of affordable housing
- H6 Housing choice and mix
- H7 Large and small homes
- A1 Managing the impact of development
- A3 Biodiversity
- A4 Noise and vibration
- A5 Basements
- D1 Design
- D2 Heritage
- CC1 Climate change adaptation
- CC2 Adapting to climate change
- CC3 Water and flooding
- CC4 Air quality
- CC5 Waste
- T1 Prioritising walking, cycling, and public transport
- T2 Parking and car-free development

- DM1 Delivery and monitoring

### **Camden Planning Guidance**

- CPG Design (2021)
- CPG Housing (2021)
- CPG Energy efficiency and adaptation (2021)
- CPG Air Quality (2021)
- CPG Amenity (2021)
- CPG Basements (2021)
- CPG Transport (2021)
- CPG Developer Contributions (2019)

### **Camden Square Conservation Area Appraisal and Management Strategy (2011)**

### **Draft Camden Local Plan**

The council has published a new [Draft Camden Local Plan](#) (incorporating Site Allocations) for consultation (DCLP). The DCLP is a material consideration and can be taken into account in the determination of planning applications, but has limited weight at this stage. The weight that can be given to it will increase as it progresses towards adoption (anticipated 2026).

## **Assessment**

### **1. Proposal**

1.1. Planning permission is sought for:

- Erection of part three-/part four-storey building, including partial basement;
- Provision of four self-contained residential dwellings;
- Partial demolition and replacement of the front boundary wall; and
- Provision of associated cycle and refuse storage.

### **2. Planning Considerations**

2.1. The key considerations material to the determination of this application are as follows:

- Land Use
- Dwelling Mix
- Affordable Housing
- Quality of Accommodation
- Design & Heritage
- Basements
- Neighbouring Amenity
- Transport
- Energy and Sustainability
- Land Contamination
- Refuse and Recycling

### 3. Land Use

3.1. Housing is regarded as the priority land use of the Local Plan and the Council will make housing its top priority when considering the future of unused and underused land and buildings. As such, the erection of a part three-/part four-storey building to provide four new self-contained dwellings is compliant with Policy H1.

### 4. Dwelling Mix

4.1. The Council requires development to contribute to the creation of mixed and inclusive communities by containing a mix of large and small homes. Policy H7 of the Local Plan includes a Dwelling Size Priorities Table as set out below:

	<i>1-bedroom (or studio)</i>	<i>2-bedroom</i>	<i>3-bedroom</i>	<i>4-bedroom</i>
<b>Social-affordable rented</b>	Low	High	High	Medium
<b>Intermediate affordable</b>	High	Medium	Low	Low
<b>Market</b>	Low	High	High	Low

4.2. Policy H7 seeks to ensure that all housing development: (a) contributes to meeting the priorities set out in the Dwelling Size Priorities Table; and (b) includes a mix of large and small homes. The proposal includes the creation of 3x two-bedroom and 1x three-bedroom self-contained flats, which are regarded as high priority for market housing in the above table. The proposal also represents a mix of large and small homes. Therefore, the proposed unit mix is welcomed and complies with Policy H7 of the Local Plan.

### 5. Affordable Housing

5.1. Policy H4 requires a contribution to affordable housing from all developments that provide one or more additional homes and involve a total addition to residential floorspace of 100sqm GIA or more. The policy states that where developments have a capacity for fewer than 10 additional dwellings, the Council will accept a payment in lieu of affordable housing.

5.2. Targets are based on an assessment of development capacity whereby 100 sqm GIA of housing floorspace is generally considered to create capacity for one home and a sliding scale target applies to developments that provide one or more additional homes and have capacity for fewer than 25 additional homes, starting at 2% for one home and increasing by 2% for each home added to capacity.

5.3. Where development has the capacity for fewer than 10 additional dwellings, the Council will accept a payment-in-lieu of affordable housing. A rate of £5,000 per sqm GIA is applied. On this basis of an uplift of 375sqm residential floorspace, the contribution would be **£150,000**:

*Additional residential floorspace [(375sqm GIA) x8% (capacity for 4 additional homes = 8%)] x £5,000 = **£150,000***

## 6. Quality of Accommodation

6.1. Policy H6 outlines how the Council will seek to secure high quality accessible homes in all developments that include housing. We will:

- encourage design of all housing to provide functional, adaptable and accessible spaces;
- expect all self-contained homes to meet the nationally described space standard; and
- require 90% of new-build self-contained homes in each development to be accessible and adaptable in accordance with Building Regulation M4(2).

6.2. The proposal consists of 3x two-bedroom and 1x three-bedroom self-contained residential units. Each of the new flats exceeds minimum national space standards as outlined in the table below:

Unit	Unit Type	Minimum GIA	Proposed GIA
Flat 1	2Bed/4Person	79sqm	103sqm
Flat 2	3Bed/5Person	93sqm	111sqm
Flat 3	2Bed/4Person	70sqm	72sqm
Flat 4	2Bed/4Person	79sqm	89sqm

6.3. Each of the four flats are at minimum dual-aspect facing north, south, and west, with Flat 4 featuring a triple-aspect second floor level. It is considered each of the new units would be provided with a good degree of privacy, outlook, ventilation, and provision of daylight/sunlight. The constraints of the site mean that stepped access is required to the front to allow for suitable ceilings heights at basement level, meaning that none of the units would be M4(2) compliant. In this specific instance, given the constraints of the site, this is accepted.

6.4. Each of the four flats would be provided with private external amenity space, with a mix of lower ground floor terraces for Flats 1 (29sqm total) and 2 (31sqm total) and roof terraces for Flat 3 (7sqm) and 4 (14sqm). This is considered acceptable and would provide future occupiers with sufficient external amenity area, complying with policy D1 of the Local Plan and London Plan requirements.

## 7. Design and Heritage

7.1. D1 states that the Council will seek to secure high quality design in all cases. This policy states that in order to demonstrate high quality, developments should meet several criteria including: respecting local context and character; being sustainable and durable; and comprise details and materials that are of high quality and complement the local character. It continues to state 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. Policy D2 states that the Council will preserve and enhance Camden's heritage assets and their settings.

7.2. The immediate area in which the subject site sits is predominately residential, defined by architecturally unique mews dwellings of varied age and architectural style, which are typically two to three storeys in height. The Camden Square Conservation Area Statement describes the buildings along Murray Mews as taking an imaginative approach to development in the spirit of a mews' scale, form, and variety of styles and materials. Unlike most of the Borough,



new construction in a mews context allows for greater flexibility in design and materiality, where unique architecture is encouraged.

#### Design Review Panel – Revisions

- 7.3. Throughout the course of the application, the design of the new building has been amended in response to Officer and Design Review Panel (DRP) comments. The original proposal was presented to the DRP on 23/11/2023.
- 7.4. Subsequent DRP comments outlined that the proposed height, massing, and density are acceptable in principle; however, the design was lacking in the quality required for the sensitive and important setting. The original proposal was seen as too generic, and not specific to an architecturally significant street located within a conservation area. It was suggested that the design should reflect a more detailed understanding of local architectural character and of visual impact, with a full assessment completed of the street's architectural qualities and impact of the proposal in views. The architecture was suggested to be bolder, aiming to create a modern response to the unique Murray Mews setting, while avoiding mirroring the neighbouring building. The materiality should be ambitious, responding to the mews housing in form and detail.
- 7.5. The design of the proposed building has since been amended, incorporating comments and suggestions from Officers and the DRP. The amended plans are now considered to represent a high-quality, unique, and detailed design that is appropriate for the mews and conservation area contexts.

#### Amended Design

- 7.6. The proposed building, which will be three storeys in height including basement, is considered to be appropriate in scale, height, and massing, responding positively to its immediate context and taking inspiration from neighbouring buildings. The building will not project past the front elevation of no.6 Murray Mews, thus maintaining the established setback set by neighbouring buildings. Although the height of the building is taller than the neighbouring no.6 by 1.1m, it is considered acceptable and will not unduly impact the character or setting of neighbouring building nor the wider Conservation Area. The front elevation features a first floor cantilevered to the corner of the building creating a playful massing in a prominent location, reflective of other properties along Murray Mews. The ground floor and basement front elevation are chamfered towards the side (west) elevation, visually opening up to the streetscape and creating additional architectural interest.
- 7.7. Along the side (west) elevation, the full four storey massing would not be visible in wider public views due to the slope of the site and the Network Rail boundary wall obscuring the lower levels in long views but offers a visually interesting facade with varying window typologies and brickwork patterns. At the rear, the massing is stepped, with a first-floor terrace and rear lightwell creating relief to the otherwise rectangular building. Setbacks at third-floor level assist in reducing the mass of the building when viewed from the street and in long views, while also incorporating the established feature of Murray Mews dwellings whereby the top floor is set back. The second level, clad in aluminium with a differing glazing pattern, results in a lightweight structure visually forming a lantern which is reminiscent of a signal box next to a train line – relating the building to its context next to the rail line.

- 7.8. Architecturally, the design utilises established material elements and architectural features found within the neighbouring mews buildings. These include unique brickwork patterns such as hit-and-miss and vertical brickwork, fair-faced concrete, aluminium framed windows of varying heights and widths, deep window reveals, corner windows, aluminium cladding, and timber doors and gates. The result is a building that not only positively responds to the architectural character of Murray Mews, but establishes itself as a unique building appropriate for the prominent site upon which it sits. This is particularly important as the property is highly visible in long views north from the junction of Murray Street/St Augustine's Road/Agar Grove.
- 7.9. The existing boundary wall, which is in poor condition, would be rebuilt utilising matching brick in a standard and hit-and-miss pattern, thus maintaining a key feature of the mews character. The use of timber is considered acceptable and would further assist in incorporating the scheme into the wider area.
- 7.10. A condition has been included which requires sample materials to be submitted and approved prior to construction, to ensure they are of a high quality and will relate positively to the surrounding context and wider Conservation Area.
- 7.11. Special regard has been attached to the desirability of preserving or enhancing the Camden Square Conservation Area, under s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

## **8. Basements**

- 8.1. Policy A5 requires basements, by way of their siting, location, scale, and design to have minimal impact on and be subordinate to a host property. A number of criteria is set out in the policy which advise that basements should:
- f. Not comprise of more than one storey;*
  - g. Not be built under an existing basement;*
  - h. Not exceed 50% of each garden within the property;*
  - i. Be less than 1.5 times the footprint of the host building in area;*
  - j. Extend into the garden no further than 50% of the depth of the host building measured from the principal rear elevation;*
  - k. Not extend into or underneath the garden further than 50% of the depth of the garden;*
  - l. Be set back from neighbouring property boundaries where it extends beyond the footprint of the host building; and*
  - m. Avoid the loss of garden space or trees of townscape or amenity value.*
- 8.2. Although the proposal does not fully constitute a basement, given the existing slope on the site, it still complies with all points in relation to the policy requirements. It comprises of one storey fully underneath the proposed building, does not exceed 50% of the garden, is less than 1.5 times the footprint of the host building, and avoids the loss of garden space or trees of townscape or amenity value.

8.3. Furthermore, the application is supported by a Basement Impact Assessment (BIA). This was subjected to an independent audit by Campbell Reith (CR). Following their assessment, CR confirmed that the proposed basement complies with Policy A5 and the CPG Basements document. Compliance to the approved BIA will be secured by condition.

## **9. Neighbouring Amenity**

9.1. Policy A1 of the Local Plan seeks to ensure that development does not cause adverse amenity impacts to neighbours in terms of sunlight, daylight, privacy and overlooking, noise, vibration, and odour. Policy A3 states that features with nature conservation value, including gardens, shall be protected where possible. Policy A4 states that the Council will not grant permission for developments with unacceptable noise impacts.

9.2. The nearest residential dwelling is 6 Murray Mews, located immediately to the east of the subject site. The new building would be erected along the shared boundary and follows a similar form and height as 6 Murray Mews. At first floor level, an east facing window within Flat 3 is located 3.6m from the shared boundary, with views to the first-floor rear terrace; however, given the distances the window would not have any direct views in the first-floor habitable rooms at no.6 and is considered acceptable. At roof level, the proposed second floor footprint extends slightly beyond the front elevation of 6 Murray Mews, and follows the same setback at the rear, thus mitigating any impact with regards to loss of daylight/sunlight, outlook, or privacy.

9.3. Along the south elevation, windows have been minimised to ensure the privacy of neighbouring 3 and 5 St Augustine's Road to the south is maintained. This includes the use of obscure glazed south facing windows in Flats 2 and 3, and the use of a hit & miss brick privacy wall for the first-floor terrace at Flat 3. Thus, it is considered that the proposal will not result in a significant impact to the amenity of those occupiers. The south facing obscure glazed windows will be secured by condition.

9.4. To the north of the site is the London Irish Centre, and to the west the Network Rail lines, thus there are no amenity impacts to consider in these directions.

9.5. The applicant has submitted a Daylight and Sunlight Report that indicates there would be no noticeable impact on daylight or sunlight to any windows other than 'Window 15' at 5 St Augustine's Road which serves the lower ground floor living/dining/kitchen at the property. It is considered that limited reductions in daylight below BRE recommendations can be accepted in this case as there would not be substantial impacts on neighbouring amenity. No other windows to neighbouring properties would have daylight levels that fall below the BRE recommendations as the result of this development proposal.

9.6. Sunlight levels to neighbouring homes and overshadowing to neighbouring gardens would also not increase beyond the limits set out by the BRE recommendations and therefore the development proposal is considered acceptable in respect of these impacts.

9.7. The proposed dwellings would be located within an established residential area and as such any noise created from the future occupiers would not be significant in the context of local noise environment.

9.8. A noise impact assessment was submitted indicating that, with the provision of mitigation measures such as acoustic enclosures, the noise emitted from the four proposed ASHPs would be within the requirements of policy A4. The proposals have been reviewed by the Council's Environmental Health team who deem them to be acceptable. Conditions are attached to ensure that noise from the plant does not exceed the required levels.

9.9. As such, it is considered there would be no detrimental impact on neighbouring amenity from the proposed development with regards to significant loss of daylight/sunlight, outlook, noise, or privacy.

## **10. Transport**

10.1. In line with policy T1 of the Local Plan, cycle parking should be provided in accordance with the standards set out in the London Plan. For residential units with 2 or more bedrooms, the requirement is for 2 spaces per unit, which gives an overall requirement for 8 spaces. The submitted plans indicate that 10 covered cycle parking spaces in the form of Sheffield stands would be located at ground level to the west of the building, directly above the railway cutting, which meets the requirements and is acceptable. The provision of the 10 cycle parking spaces will be secured by condition.

10.2. In accordance with Policy T2 of the Local Plan, all four flats should be secured as on-street Residents parking permit (car) free by means of a Section 106 Legal Agreement. This will prevent the future occupants from adding to existing on-street parking pressures, traffic congestion and air pollution, whilst encouraging the use of more sustainable modes of transport such as walking, cycling and public transport. The applicant has indicated their willingness to enter into such an agreement, which is welcomed. Concerns are raised that the ground floor 3m wide railway easement could be used for car parking – a condition has been added prohibiting the use of this space for car parking.

10.3. A Construction Management Plan (CMP) and associated CMP Implementation Support Contribution of £4,194 and an Impact Bond of £8,000 will be secured by means of a S.106 Legal Agreement. This will help ensure that the proposed development is carried out without unduly affecting the operation of the local highway network or neighbouring amenity.

10.4. Given that the proposed development involves basement excavation directly adjacent to the public highway, an Approval in Principle and associated fee of £576.80 will need to be secured by means of a Section 106 Legal Agreement to ensure that the structural integrity of the public highway is maintained throughout the construction process. The AiP will be assessed by the Council's bridges and structures team once planning permission is granted and prior to works commencing on site.

10.5. Given that the excavation and construction process is likely to lead to damage of the adjacent public highway, a highways contribution of £24,089.40 will be secured through the S.106 Legal Agreement. The existing crossover will need to be modified to accommodate the proposed railway easement. A cost estimate for repaving/repairing the adjacent highway will be provided in due course.



## **11. Energy and Sustainability**

- 11.1. Policy CC1 of the Local Plan requires all development to make a contribution to the mitigation of and adaptation to climate change, to minimise carbon dioxide emission and contribute to water conservation and sustainable urban drainage. Policies CC2 and CC3 are relevant with regards to sustainability and climate change. All residential developments are required to achieve at least 35% reduction regulated carbon dioxide emission on-site over the 2013 Building Regulations.
- 11.2. The proposal seeks to achieve high standards of sustainable design and construction. It will need to be built in line with the new Part L building regulations which came into effect on 1 June 2022. The submitted document indicate how green roofs will be incorporated into the roof design and air source heat pumps installed discreetly. These measures, combined with passive ventilation and heat recovery to minimise heat loss, energy efficient services and insulation, would achieve a reduction in carbon dioxide emissions.
- 11.3. An Energy and Sustainability Plan would be secured through a s.106 planning obligation for a post-construction review to ensure the development would achieve sustainability targets.

## **12. Land Contamination**

- 12.1. Condition 4 (ground investigation) of the previously approved application ref. 2010/1303/P dealt with the issue of site contamination and was successfully discharged under ref. 2013/4845/P (dated 24/09/2013). As the site has remained vacant in the interim, there is no reason to believe that the conditions will have changed with regard to site contamination, thus a new condition requiring ground investigation is considered not necessary in this instance.

## **13. Refuse and Recycling**

- 13.1. To make sure that future residents can properly store and sort their waste and to make household recycling as easy as possible, the Council will require developments to provide adequate facilities for recycling and the storage and disposal of waste.
- 13.2. The submitted plans show refuse and recycling storage to be located within the front garden. The specific details on the refuse and recycling storage will be secured through condition, thus complying with Policy CC5 and CPG Design.

## **14. Conclusion and Recommendations**

- 14.1. In conclusion, the proposed new residential building would preserve and enhance the character of the surrounding area and wider Conservation Area, as well as adding much needed family accommodation to the neighbourhood. As such, the proposal is considered to accord with the requirements of Policies H1, H4, H6, H7, A1, A3, A4, A5, D1, D2, CC1, CC2, CC3, CC4, CC5, T1, and T2 of the Camden Local Plan. The proposal also adheres to policies within the London Plan 2021 and National Planning Policy Framework 2023.

14.2. Grant conditional planning permission subject to a S.106 Legal Agreement for the following obligations:

- Car Free Development
- Construction Management Plan and Implementation Support Contribution £4,194
- Impact Bond £8,000
- Approval in Principle £576.88
- Highways Contribution £24,089.40
- Affordable Housing Contribution £150,000
- Energy and Sustainability Plan

***The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 29<sup>th</sup> July 2024, nominated members will advise whether they consider this application should be reported to the Planning Committee. For further information, please go to [www.camden.gov.uk](http://www.camden.gov.uk) and search for 'Members Briefing'.***

Application ref: 2023/1450/P  
Contact: Daren Zuk  
Tel: 020 7974 3368  
Date: 25 April 2024

**Development Management**  
Regeneration and Planning  
London Borough of Camden  
Town Hall  
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Tasou Associates Limited  
4 Amwell Street  
London  
EC1R 1UQ

Dear Sir/Madam

**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:  
**4 Murray Mews**  
**London**  
**NW1 9RJ**

### **Proposal:**

Partial demolition of the front boundary wall, excavation of the existing vacant site and the erection of a part 3/part 4-storey building to provide four self-contained residential flats (Class C3), including associated cycle and refuse storage.

Drawing Nos: EX.00, EX.01, EX.02, EX.03, EX.04, PP.01 rev B, PP.02 rev C, PP.03 rev B, PP.04 rev B, PP.05 rev B, PP.06 rev B, PP.07 rev B, PP.08 rev B, PP.09 rev C, PP.10 rev C, PP.11 rev B, PP.12 rev B, PP.13 rev A, SK.01, SK.02, SK.03, Design and Access Statement, Planning Statement, Fire Safety Statement, Site Contamination Assessment, Daylight and Sunlight Report - Neighbouring Properties (prepared by Right of Light Consulting, dated 20 February 2023), Daylight and Sunlight Report - Within Development (prepared by Right of Light Consulting, dated 31 October 2023), Noise and Vibration Assessment (prepared by SRL, dated 7 November 2022), Basement Impact Assessment (prepared by Croft Structural Engineers, dated September 2022), Basement Impact Assessment - Geotechnical Interpretive Report and Ground Movement Assessment (prepared by Maund Geo-Consulting Ltd., dated March 2023), Geotechnical Investigation Note (prepared by HESI, dated 10 June 2022), Proposed Drainage Floor Plan (DL-01-60)

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 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:

EX.00, EX.01, EX.02, EX.03, EX.04, PP.01 rev B, PP.02 rev C, PP.03 rev B, PP.04 rev B, PP.05 rev B, PP.06 rev B, PP.07 rev B, PP.08 rev B, PP.09 rev C, PP.10 rev C, PP.11 rev B, PP.12 rev B, PP.13 rev A, SK.01, SK.02, SK.03, Design and Access Statement, Planning Statement, Fire Safety Statement, Site Contamination Assessment, Daylight and Sunlight Report - Neighbouring Properties (prepared by Right of Light Consulting, dated 20 February 2023), Daylight and Sunlight Report - Within Development (prepared by Right of Light Consulting, dated 31 October 2023), Noise and Vibration Assessment (prepared by SRL, dated 7 November 2022), Basement Impact Assessment (prepared by Croft Structural Engineers, dated September 2022), Basement Impact Assessment - Geotechnical Interpretive Report and Ground Movement Assessment (prepared by Maund Geo-Consulting Ltd., dated March 2023), Geotechnical Investigation Note (prepared by HESI, dated 10 June 2022), Proposed Drainage Floor Plan (DL-01-60)

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

- 3 Before construction has commenced, a sample panel of the facing brickwork and aluminium cladding demonstrating the proposed colour, texture, face-bond and pointing shall be provided on site and approved in writing by the local planning authority. The development shall be carried out in accordance with the approval given. The approved 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 policies D1 and D2 of the London Borough of Camden Local Plan 2017.



- 4 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, check for compliance with the design (as approved by the local planning authority and building control body) and monitor the critical elements of both permanent and temporary basement construction works throughout their duration. 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 ensure proper consideration of the structural stability of neighbouring buildings and to safeguard the appearance and character of the immediate area in accordance with the requirements of policies D1, D2, and A5 of the London Borough of Camden Local Plan 2017.

- 5 The development shall not be carried out other than in strict accordance with the methodologies, recommendations and requirements of the Basement Impact Assessment (Basement Impact Assessment (prepared by Croft Structural Engineers, dated September 2022) and Campbell Reith BIA Audit Report (dated October 2023) hereby approved, and the confirmation at the detailed design stage that the damage impact assessment would be limited to Burland Category 1.

Reason: To ensure proper consideration of the structural stability of neighbouring buildings and to safeguard the appearance and character of the immediate area in accordance with the requirements of policies D1, D2, and A5 of the London Borough of Camden Local Plan 2017.

- 6 Windows to the rear elevation identified on drawing number 'PP.09 rev C' as being obscure glazed shall be installed as such prior to occupation and permanently retained as such thereafter.

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

- 7 The development hereby approved shall achieve a maximum internal water use of 110litres/person/day. The dwelling/s 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, CC3 of the London Borough of Camden Local Plan 2017.

- 8 Prior to commencement of development , 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 G1, CC1, CC2, CC3, D1, D2 and A3 of the London Borough of Camden Local Plan 2017.

- 9 Before the development commences, details of secure and covered cycle storage area for 10 cycles shall be submitted to and approved by the local planning authority. 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: 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.

- 10 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 local planning authority in writing. The facility as approved shall 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 CC5, A1, and A4 of the London Borough of Camden Local Plan 2017.

- 11 The area identified as 'Potential Future Access Zone for Network Rail' shown on drawing number 'PP.01 rev B' shall not be used for resident or visitor parking and remain clear of vehicles at all times. The area shall only be accessed by required Network Rail vehicles for maintenance purposes.

Reason: To prevent future occupants from adding to 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 London Borough of Camden Local Plan 2017.

- 12 No piling shall take place until a PILING METHOD STATEMENT (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to significantly impact / cause failure of local underground sewerage utility infrastructure. Please read our guide 'working near our assets' to ensure your workings will be in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures. <https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes> Should you require further information please contact Thames Water. Email: [developer.services@thameswater.co.uk](mailto:developer.services@thameswater.co.uk) Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB

- 13 The external noise level emitted from plant, machinery or equipment at the development with specified noise mitigation hereby approved shall be lower than the typical existing background noise level by at least 10dBA, by 15dBA where the source is tonal, as assessed according to BS4142:2014 at the nearest and/or most affected noise sensitive premises, with all machinery operating together at maximum capacity and thereafter be permanently retained.

Reason: To ensure that the amenity of occupiers of the development site/surrounding premises are not adversely affected by noise from mechanical installations/ equipment in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.

- 14 Prior to use, machinery, plant or equipment at the development shall be mounted with proprietary anti-vibration isolators and fan motors shall be vibration isolated from the casing and adequately silenced and maintained as such.

Reason: To ensure that the amenity of occupiers of the development site and surrounding premises is not adversely affected by vibration in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.

#### Informative(s):

- 1 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).
- 2 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.

- 3 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](http://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.

- 4 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.
- 5 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.
- 6 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.
- 7 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.

- 8 This proposal may be liable for the Mayor of London's Community Infrastructure Levy (CIL) and the Camden CIL. Both CILs are collected by Camden Council after a liable scheme has started, and could be subject to surcharges for failure to assume liability or submit a commencement notice PRIOR to commencement. We issue formal CIL liability notices setting out how much you may have to pay once a liable party has been established. CIL payments will be subject to indexation in line with construction costs index. You can visit our planning website at [www.camden.gov.uk/cil](http://www.camden.gov.uk/cil) for more information, including guidance on your liability, charges, how to pay and who to contact for more advice. Camden adopted new CIL rates in October 2020 which can be viewed at the above link.

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 2023.

You can find advice about your rights of appeal at:

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

Yours faithfully

Supporting Communities Directorate