

Delegated Report		Analysis sheet	Expiry Date:	30/09/2014
		N/A	Consultation Expiry Date:	25/09/2014
Officer			Application Number(s)	
Seonaid Carr			2014/5093/P	
Application Address			Drawing Numbers	
The Victoria 2 Mornington Terrace London NW1 7RR			See draft decision notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Installation of 3 lightwells fronting Mornington Terrace and Mornington Place and internal re-arrangements to Flat 1 and 2 at ground floor and basement level.				
Recommendation(s):		Refuse planning permission		
Application Type:		Full Planning Permission		

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	15	No. of responses	01	No. of objections	01
			No. electronic	00		
Summary of consultation responses:	<p>One letter of objection has been received a summary of which is provided below:</p> <ul style="list-style-type: none"> • During construction works to date further cracks have appeared on the front facade rendering, suggesting the impact of major internal works. • I believe the original planning permission incorporated protection of the front facade: this stipulation must be observed strictly in future work. <p>Officer Response:</p> <ul style="list-style-type: none"> • Cracks as a result of the construction works which have started and relate to the previous permission will be addressed with a Party Wall agreement which is a civil matter between the applicant and the neighbouring properties. • The original permission did involve the retention of the front façade with some alterations to the fenestration and a basement level development, this application is seeking to install lightwells, the assessment below reviews the acceptability of the proposed lightwells. 					
CAAC comments:	<p>Camden Town CAAC were consulted on the proposal, no response has been received to date.</p>					

Site Description

The host building is located on the corner of Mornington Terrace and Mornington Place and is a prominent building within a predominantly residential area. The character of the building is distinctly different to that of the neighbouring terraces in terms of materials and architectural finish.

The site is located within the Camden Town Conservation Area, although it is not a listed building it is identified as making a positive contribution to the conservation area.

Relevant History

2013/5469/P - Change of use from public house with ancillary residential accommodation (Class A4) to residential (Class C3) to provide 7 self-contained units (4x1, 3x2 beds) together with basement excavation to increase the depth and footprint of existing basement, removal of rear additions & external stores at ground floor level, erection of ground floor rear extension, second floor level extension and mansard roof addition, alterations to fenestration, installation of glass blocks to front pavement and rear lightwells, and provision of bin & cycle store. Application granted subject to Section 106 legal agreement, works have commenced onsite.

Relevant policies

The National Planning Policy Framework (2012)

The London Plan (2011)

LDF Core Strategy and Development Policies (2010)

CS1 Distribution of growth

CS4 Areas of more limited change

CS5 Managing the impact of growth and development

CS6 Providing quality homes

CS14 Promoting high Quality Places and Conserving Our Heritage

DP20 Movement of Goods and Materials

DP21 Development connecting to the highway network

DP22 Promoting Sustainable Design and Construction

DP23 Water

DP24 Securing High Quality Design

DP25 Conserving Camden's Heritage

DP26 Managing the impact of development on occupiers and neighbours

DP27 Basements and lightwells

Camden Planning Guidance (2013)

CPG1 Design – Chapters 2, 3, 7

CPG4 Basements and Lightwells – Chapter 2

Camden Town Conservation Area Appraisal and Management Strategy (2007)

Assessment

Proposal

Planning permission is sought for the installation of 3 lightwells fronting Mornington Terrace and Mornington Place and internal re-arrangements to Flat 1 and 2 at ground floor and basement level.

The previous planning permission 2013/5469/P allowed for 4 pavement lights to the Mornington Place elevation and 3 pavement lights to the Mornington Terrace elevation to provide light into the basement level. This application is seeking to install a single lightwell to the Mornington Terrace elevation which would measure 5m wide and project 1.5m onto the street, one set of pavement lights would be retained to the Mornington Terrace elevation. To the Mornington Place elevation there would be two lightwells each measuring 3m wide and projecting 1.5m onto the street. The lightwells would be surrounded by metal railings up to a 0.8m in height. At basement level it is proposed to install six over six paned windows, two to each elevation.

Internally the size of the living/kitchen/dining area would be reduced to terminate in line with the front building lines of the property as oppose to extending into the lightwell area at basement level. Within flat 1 the size of the living/kitchen/dining area at basement level would be reduced from 36sqm to 34sqm. The living/kitchen/dining area at the basement level within flat 2 would be reduced from 39sqm to 29sqm. At ground floor level the voids that were included at ground floor of the previous application would be infilled in this current application to provide a study at the ground floor for both flats 1 and 2.

The size of the basement is no different to that of the previous application, the proposal is just to include lightwells with railings as oppose to the pavement lights as previously approved.

Construction works have started on site, but to date they are in line with the current planning permission 2013/5469/P, this application is seeking to amend the approved plans by way of a full planning permission as oppose to a variation of condition.

Design

Policies CS14 and DP24 seek to ensure all development is of the highest quality design and considers the character, setting, context and form of neighbouring buildings. Furthermore Policy DP25 seeks to preserve and enhance the character and appearance of Conservation Areas.

Historically, the application property was a public house. Permission was granted last year for the change of use to residential. The approved application (Ref: 2013/5469/P), included the erection of mansard, rear extension and insertion of pavement lights. The approval ensures the property retains the visual appearance of a public house. The design of the previous application including the treatment of the basement level was discussed in full during the course of the previous application and previous pre-application advice. The principle of installing lightwells to the front elevation was considered inappropriate due to the detrimental impact this would have on the character of the parent building, eroding its historical frontage and harming its integrity.

It is noted that there are front lightwells and railings present to the neighbouring terrace properties, however given the different style of building and that these have likely always been in residential use they are not considered to set a precedent for the application property. Attention is drawn to Policy DP24 which seeks to ensure high quality design. The Council expects development to provide a visually interesting frontage at street level, with regard to this development it would be expected that the interesting features and the character of the existing pub façade are retained and any alterations would be sympathetic to the host property. The proposed railings would detract from the character of the pub and would result in a hybrid of architectural styles not appropriate to a building of this nature.

Attention is drawn to a previously refused application at a public house within Camden which proposed lightwells with railings to the front elevation. The application was subsequently dismissed at appeal (Appeal Ref:APP/X5210/A/06/2022362), as per this application, lightwells surrounded by railings are a feature of the area generally and occur predominantly on buildings originally designed for residential use where the main floor is raised and approached by steps and the heads of basement windows in the lightwells are above the pavement rather than lightwells. The Inspector considered that the introduction of a lightwell would be alien to the appearance of a building designed for commercial use and detract significantly from the character of the area and dismissed the appeal on grounds of design. The same principle can be applied to the application building. As noted above the buildings sits distinctly different to neighbouring properties. Whilst neighbouring properties have lightwells with railings, these are original and form part of the historical character of these neighbouring building. The proposed development would be wholly out of character of the parent building and would erode what is at present an interesting frontage at street level, thereby failing to preserve and enhance the character and appearance of the conservation area. As such the development would fail to accord with the objectives of Policies DP24 and DP25.

The applicant has noted within their design and access statement that they consider development as approved has a number of shortfalls, such as natural light, ventilation and outlook and they consider the introduction of the lightwells resolving these issues. However the standard of accommodation was assessed during the course of the previous application and considered acceptable, as such no objection was raised. The revised application would result in significant harm to the character and integrity of both the parent building and surrounding conservation which would not outweigh the benefit of having improved levels of light into the property given the approved scheme demonstrated the development would provide a suitable standard of accommodation.

Amenity

Due to the nature of the proposed works there would not be an impact on the amenity of neighbouring residents.

Basement Impact Assessment

The proposed development would have a basement to the same scale as the previous application 2013/5469/P which is still extant. As such the applicant has provided the same Basement Impact Assessment as the previous application, the assessment below is the same as that of the previous application as there have been no changes in this regard.

Groundwater flow

Going through figure 1 of CPG4, the report has answered 'No' to all questions. Topographical maps show the nearest surface water features are a series of ponds situated some 700m to the west within Regent's Park. The underlying London Clay is classified as an unproductive stratum with soils that have a low permeability and negligible significance to local water supply. In terms of hard standing the southern part of the site is wholly occupied by the building while the northern area is surfaced in hard standing. Infiltration of rain water generally occurs in the rear garden with the majority of surface runoff likely to drain into combined sewers. Site investigations encountered water within the made ground at depths of 1.6m and 2m, this was assessed to represent perched water. Given the development would be extending the footprint of an existing basement, which does not come into contact with ground water and enlarging its depth by 1m the report notes that the development would not extend below the groundwater table.

Surface flow and flooding

The application site is not located within an area at risk of flooding from river flooding as it is beyond

the flood plain as demonstrated within the Environment Agency's 'Risk of Flooding from Rivers and Sea'. Furthermore neither Mornington Terrace or Mornington Place are listed within CPG4 as being at risk of surface water flooding. The nearest watercourse to the site to Regents Canal to the South. As the basement would be below the footprint of the existing building with the only extension out of the footprint being on an area which is already covered in hardstanding, the proposed works would not increase the level of hardstanding on site and therefore there would not be an increased level of surface water.

Land Stability

The desktop study has answered 'No' to all of the questions in relation to land stability except for Nos.6, 9, 12 and 13. As such these matters of concern need to be taken through to the scoping stage.

With regard to question 6, there is a tree approximately 9m outside the boundary of the site, within the report it is noted that it is unknown whether the tree is protected. Having searched the Council's records it is evident that the tree in question located to the north of the application site is not a TPO tree but is protected by virtue of it being within a conservation area, to ensure the tree would not be harmed by the proposed basement works a condition will be used to require details of its protection during construction.

Given the site is located within an area that is not susceptible the land movement, the applicants BIA notes that the final retaining wall solution should be reviewed to avoid any concerns with regard to stability or movement to adjacent structures, a condition will be used to request further details and an updated BIA prior to the commencement of development to ensure there would be no land stability issues.

Standard of Accommodation

The revised proposal would reduce the size of the kitchen/living/dining areas within the units however it is not considered that this would result in substandard accommodation as the units would still meet the requirements of the London Plan and Camden's local standards. As noted within the design section the applicant considers that the approved accommodation lacks levels of light, outlook and ventilation. However as assessed under the previous application it was considered acceptable and would provide a suitable standard of accommodation. No objection is raised on grounds of standard of accommodation.

Transport Implications

As the revised proposal would include lightwells which would be larger than the pavement lights approved as part of the previous applications, the impact on the public highway would be more than that of the previous application. As such it would be necessary to secure a further financial contribution to highways improvements by way of a Section 106 to mitigate the impact of the development.

With regard to the construction, as the previous application only included the insertion of pavement lights the Construction Management Plan secured under the previous application would not have addressed the introduction of lightwells. As such a Section 106 would be required to secure another Construction Management Plan, relevant to this current application.

Recommendation: Refuse planning permission