



Development Control Service  
London Borough of Camden  
Town Hall  
Argyle Street  
London WC1H 8ND

23<sup>rd</sup> January 2015

Dear Sir/Madam,

**Re: 6-7 Railey Mews, London, NW5 2PA**

Please find enclosed retrospective application conservation area consent demolition of unlisted buildings in a conservation area. The application is submitted following consultation with Hannah Parker (Appeals and Enforcement) regarding demolition of buildings in a conservation area during implementation of the approved schemes for alterations and extensions to Nos.6 and 7 Railey Mews (2011/2092/P & 2011/2093/P).

**Background**

Planning permission was granted in June 2011 for alterations on the front elevations, erection of a mansard roof extensions and excavation of basements to provide additional accommodation at Nos. 6 and 7 Railey Mews.

The applicant, E-Build Homes Ltd, acquired Nos.6 and 7 Railey Mews with the benefit of planning permission from the previous owner who had purchased both buildings at auction from Camden Council. Both properties had been neglected for many years and were in a very poor state of repair with severe water ingress resulting in wet and dry rot throughout. Supporting information submitted in respect of a previous application for 6 Railey Mews (2010/1096/P) confirms the building was in a very poor and dangerous structural condition. The Council refused the Lawful Development Certificate in 2010 because the residential use had been 'abandoned' due to the dangerous structural state of the building.

The current owners appointed Clive Adams Associates to undertake a structure survey of the buildings which confirmed that the front and rear elevations were bowing away from property, especially above first floor level. The lateral movement was greater than the allowable 72mm at 80mm for the rear wall and 100mm for

the front wall. Clive Adams Associates' report also draws attention to severe degradation of the walls due to constant water penetration from embedded pipes arising from a lack of maintenance by the previous owners.

E-Build Homes has sought to comply with all conditions and legal requirements relating to the approved development. Having appointed a suitably qualified chartered engineer – Clive Adams Associates Limited - as required by condition (4) of the permission, due to the structural instability of the buildings E-Build Homes Ltd. notified the Council of their intention to rebuild more of the structure and in effect demolish both buildings by letter dated 27<sup>th</sup> March 2014. Works commenced on implementation of the planning permissions 2011/2092/P & 2011/2093/P in May 2014 and were independently certified by JHAI Ltd Building Control Inspectors on 6<sup>th</sup> June 2014 as having commenced.

The demolition and reconstruction work was the subject of Party Wall Agreements with the neighbouring property owners completed on 6<sup>th</sup> May 2014 - in this case, the neighbouring owner is the 'Mayor and Burgesses of the London Borough of Camden Council.

It should be noted that case officer's Delegated Report (Members Briefing) in respect of the previously approved applications states erroneously that Nos.6 and 7 Railey Mews are not located within a conservation area. The officer's report states *"the buildings are not listed or in a conservation area, however, Kentish Town CAAC has been consulted as the rear of the two properties adjoins the rear garden of grade II listed properties."* In point of fact, the buildings are located within Kentish Town Conservation Area.

### **Scope of Proposed Works**

This application seeks to regularise 'urgent and necessary' works of demolition that were carried out after formal notification was submitted to Camden Council. Reconstruction of both buildings in accordance with the previously approved drawings may be secured by standard condition.

The previous planning applications were submitted to and approved by the Council on the basis that the properties were not located in a conservation area. It is evident by comparing the existing and proposed elevations that – setting aside the inherent structural instability resulting from dereliction - façade retention would have been extremely difficult to achieve with prolonged disruption to neighbours and would have resulted in a patchwork of brickwork to the facades of both buildings thereby detracting from the character and appearance of the street scheme.

Although the previous planning applications were not accompanied by applications for conservation area consent, the approved drawings show both schemes involve demolition of the existing buildings and

reconstruction within the existing envelope. In particular, the approved plans and sections show relocation of internal floor and a reduction in the depth of the front and rear facades. The approved plans also show substantial alterations to the front facades in terms of repositioning all existing windows and door openings.

Having regard to *Shimizu (.K.) Ltd. v Westminster City Council [1997]* it is considered that the demolition of the buildings behind the facades constitutes alteration. Conservation area consent is required therefore for demolition including the front façade. The application therefore seeks to regularise the demolition only insofar as it exceeds the lawfully implemented permissions (2011/2092/P & 2011/2093/P).

In view of reasons of the demolition and the Council's failure to respond previously to the applicant demolition notice dated 27<sup>th</sup> March 2014, I would be grateful for the Council's prompt consideration and approval of this retrospective application to regularise demolition deemed necessary for reasons of structural safety.

Yours faithfully

**Robin Harper**

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Chartered Town Planner