

Delegated Report		Analysis sheet		Expiry Date:	30/03/2015
		N/A		Consultation Expiry Date:	09/07/2015
Officer			Application Number(s)		
Raymond Yeung			2015/0271/P		
Application Address			Drawing Numbers		
97 Camden Mews London NW1 9BU			See decision notice.		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
Erection of 2 x 3 storey, 3 bedroom houses following the demolition of existing car garage (B2)					
Recommendation(s):		Refuse Planning Permission			
Application Type:		Full Planning Permission			

Consultations						
Adjoining Occupiers:	No. notified	36	No. of responses	12	No. of objections	13
			No. Electronic	00	No. of support	1
Summary of consultation responses:	<p>A site notice was displayed 18/2/15 press advert published 12/2/15 -11/3/15 with the consultation period expiring on 11/3/15. A further email sent out to the objectors was sent out informing them of revisions on 12/6/15.</p> <p>13 objections have been received from the occupiers of 65,74,76,78 (x 2 objections),80a,80b,84 (x 2 objections), 93, 95, 95A,99 Camden Mews and an occupier in nearby Rochester Conservation Area commenting;</p> <ul style="list-style-type: none"> • Construction noise and nuisance • Loss of privacy – from balcony • Impact from loss of light • Loss of privacy <p>– See amenity paragraphs below</p> <ul style="list-style-type: none"> • Parking and access issues • Lack of a CMP <p>– See transport paragraphs below</p> <p>Amenity space – See quality of accommodation paragraphs below</p> <ul style="list-style-type: none"> • Preservation of mews building • Unsympathetic/inappropriate design and materials with surrounding area • Poor quality design <p>– See design paragraphs below</p> <ul style="list-style-type: none"> • Overdevelopment – See principle and design paragraphs below • Loss of industry– See principle paragraph below <p>The issues raised such as; Multi occupancy, loss of view, Structural stability of neighbouring houses, Security and scaffolding, fire escape, contamination plan are considered not to be material in assessing this planning application and is dealt with by means outside of planning’s jurisdiction.</p> <p>1 Letter of support from 248 Camden Road.</p> <p>The Camden Square CAAC commented:</p> <ul style="list-style-type: none"> • Unclear drawings/submitted information <p>Thames water- No objection</p> <p>Historic England raise some concerns: “The garage itself does not appear to be of much architectural or historic significance, however its modest scale creates a varied and interesting roofline along the streetscape which is characteristic of Camden Mews.” and “The Camden Square Conservation Area Appraisal and Management Strategy (London Borough of Camden, March 2011) sets out guidelines for new mews buildings within the Conservation Area. It states on p48 that "the trend to intensify residential development means that building heights are under pressure to increase in the mews and care will be needed to ensure that this does not become the norm and that the original mews' scale remains dominant" (point 7.4). In light of this, your Council should consider seeking a slight reduction in scale of the development or a further setting back of the third storey. We also</p>					
CAAC/Local groups comments:						

note that the submitted Design and Access Statement is fairly light and we would advise that further details are submitted prior to determination to ensure that a high-quality design would be achieved.”
“We would urge you to address the above issues, and recommend that the application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice.”

Site Description

The site comprises a single storey brick building on the north side of Camden Mews, flanked by 95a and 99a Camden Mews. It was formerly ‘Franklins Autos’ a motor repair garage.

The mews is a narrow, one-way cobbled street that runs parallel to Camden Road and is made up of two and three storey buildings mainly in residential use and mainly post war, however these are interspersed with some older mews houses and some commercial sites. Older mews houses would have originally served the larger houses on Camden Road.

The site lies within the Camden Square Conservation Area and, and like most of the buildings in the conservation area, the application site is identified as making a positive contribution to the character and appearance of the conservation area.

Relevant policies

LDF Core Strategy and Development Policies

Core strategy:

- CS1- Distribution and growth
- CS5- Managing the impact of growth and development
- CS6 – Providing quality homes
- CS8 – Promoting a successful and inclusive Camden economy
- CS11- Promoting sustainable and efficient travel
- CS13- Tackling climate change through higher environmental standards
- CS14 – Promoting high quality places and conserving our heritage
- CS15- Protecting and improving our parks and open spaces & encouraging biodiversity
- CS19- Delivering and monitoring the Core Strategy

Development policies:

- DP2- Making full use of Camden’s capacity for housing
- DP5- Homes of different sizes
- DP6- Lifetime homes and wheelchair homes
- DP13 – Employment premises and sites
- DP17-Walking, cycling and public transport
- DP18- Parking standards and limiting the availability of car parking
- DP20- Movement of goods and materials
- 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
- DP29- Improving access

Camden planning guidance:

- CPG1 (Design)- Chapters: 1; 2; and 6
- CPG2 (Housing) – Chapters: 4 and 5
- CPG3 (Sustainability)
- CPG6 (Amenity)- chapters 6 & 7
- CPG7 (Transport) –Chapters 7 and 9

Camden Square Conservation Area Appraisal and management Strategy 2011

The London Plan March 2015, consolidated with alterations since 2011

Policies 3.3, 3.4, 3.5, 5.3, 5.18, 6.9, 6.10, 6.13, 7.4,7,6, 8.2

NPPF 2012

Assessment

1. Proposal

- 1.1 The proposal seeks to demolish the existing building, and erect it with 2x 3 storey, 3-bedroom dwellings.
- 1.2 The site measures 14.6 metres wide in which the proposed new dwellings would infill. The new buildings would measure approximately 8 metres in height, and 9 metres in depth.
- 1.3 The ground floors to House A (on left hand side) and House B (Right hand side) would mirror each other and consist of the main living/kitchen/dining room with bicycle and refuse storage and rear patio area.
- 1.4 The first floor would include one bedroom, a study room and bathroom, and the second floor would contain the second and third bedrooms with front terrace to each dwelling.
- 1.5 At the front, the ground and first floor would be brickwork, with a rendered second floor. At the rear, the elevation would be a mixture of brickwork, render and timber cladding.
- 1.6 The application is to be assessed on its 5th iteration, the agent has been given four opportunities to amend the scheme from the original proposal, the latest changes compared to original are as follows;
 - Reduction of projections to the front and rear facades
 - Changes to the front and rear fenestrations
 - Internal alterations for bin and cycle storage
 - Internal alterations to comply with Lifetime Homes standards
 - Better standard of drawings

The principal considerations material to the determination of the application are summarised as follows:

- Land use
- Principle of demolition
- Quality of proposed accommodation
- Design and conservation area impact
- Amenity

- Transport, highways and services

2. Land use

2.1 The following considerations contained within policies CS6, CS13 of the Core Strategy, policies DP2, DP13, DP16, DP18, DP22, DP24, DP6 of the Development Policies Document are relevant to the application: development should consider the principle of the loss of an employment unit and its replacement with a residential home, the impact of the development on the character, setting, context and the form and scale of neighbouring building, the transport impacts of the development.

2.2 Whilst Policy DP13 (Employment premises and sites) seeks to protect such businesses irrespective of their location, it is considered that the configuration of the current building, its location and the lack of space make it difficult for the nature of the business to function, grow or develop, or be used easily for a different operation.

2.3 To comply with the above policy, it should be demonstrated that; a) it can be demonstrated to the Council's satisfaction that a site or building is no longer suitable for existing business use; and b) there is evidence that the possibility of retaining, reusing or redeveloping the site or building for similar or alternative business use has been fully explored over an appropriate period of time.

2.4 The applicant provided a marketing report which states the following;

- Marketed for lease at a reasonable price of £30,000 P.A with little response
- The property has been marketed for an excess of 17 months following the downturn of demand for motor repairs using a retail agency
- Subsequently reduced to £20,000 P.A and also marketed for sale with a lack of demand
- The lack of interest is stated by the applicant is attributed by the lack of on-street parking and access for private and commercial vehicles
- MOT services not possible in the building due to the building's small size
- The building is purpose built for a garage workshop/garage and would not be feasible to turn it to other business usage
- The garage proprietor intends to live in one of the proposed houses

2.5 97 Camden Mews is considered to be a "Category 3" site, which recognises the lack of features and the constraints of the site within Camden Mews. Camden Planning Guidance 5 (Town Centres, Retail and Employment); considers such sites to be heavily compromised and may not be suitable for continued industrial use or need significant investment.

2.6 With the above taken into consideration, the change of use of the application site is acceptable in principle and therefore be in accordance with policies DP13 and CPG5 in that it has been sufficiently demonstrated that it could not be suitably retained for existing commercial space.

2.7 On balance, the removal of business is outweighed by the benefits of creating two family sized homes. Commentary in paragraph 2.8 in DP2 stipulates that it should be considered with the need to respect the characteristics of the area and the site or property this would be explained later in this report.

3. Principle of demolition

3.1 The proposal is to demolish the existing single storey garage with a footprint of 134 square metres. The proposed dwellings would occupy the same footprint as the existing building and measure 8m wide x 3m in height.

3.2 The Council must be satisfied that there are acceptable detailed plans for the redevelopment. Any replacement building should enhance the conservation area to an appreciably greater extent than the existing building. When a building makes little or no contribution to the character and appearance of a conservation area, any replacement building should enhance the conservation area to an appreciably greater extent than the existing building.

3.2 It is acknowledged that although the front façade is of little architectural merit, the building makes a positive contribution to the character and appearance of the Camden Square Conservation Area through its age, scale and industrial heritage. Its demolition would lead to minor harm to the conservation area by virtue of the loss of the front elevation and patina from the existing materials and a certain degree of historic integrity that derives from the survival of this fragment of the late 19th century mews. However, this would amount to 'less than substantial harm'. In line with para 134 of the NPPF this requires the harm to be weighed against the public benefits of the proposal.

3.4 The replacement of the existing building with new dwellings could enhance the conservation area if the replacement dwellings were of a high quality of design, but it is considered that the replacement buildings do not enhance the character or appearance of the conservation area in this instance.

4 Quality of accommodation

4.1 The proposal would provide 2x 3-bedroom dwellings with floorspace of approximately 105sqm. The size of each dwelling, and the bedrooms, would comply with both the London Plan and Camden's own residential development standards. All rooms would be regularly shaped with good access to natural light and ventilation.

4.2 With regard to the Lifetime Home Standards, the revised entrance thresholds have been reduced to allow for the normal 50mm timber threshold, to prevent water ingress, but do not present an impediment to wheelchair users. The potential for stair lift installation has been addressed by using the proposed ground and first floor storage cupboard areas, and this solution has been noted on the relevant floor plans. If the application were acceptable, such features would be secured by condition.

4.3 16 square metres of outdoor terrace is proposed located to the front area on the second floor and 3 square metres of patio area to the rear for each dwelling, the total of 19 square metres of amenity space for each dwelling is considered acceptable and accords with Camden and London policies.

4.4 For the reasons given above, the proposed houses would be in-line with policy DP6.

4. Design and impact of the development on the conservation area

Context

4.1 Camden Mews is characterised by 2 - 3 storey buildings, many of which were designed and built from the 1960s onwards on undeveloped plots as architects' own studio houses.

4.2 As such, Camden Mews is boasts uniqueness of each building with varying and interesting designs and the character of Mews is one of irregularity, in terms of materials and design, reflecting its piecemeal development over 150 years. In particular, many sites were developed since the war as individual architectural compositions of significant quality.

4.3 The urban grain of the mews is generally fine, characterised by narrow plots, whereas the subject plot is much wider, requiring that design must be appropriately integrated in scale, height and mass.

4.4 Given its context (adjacent and opposite) a modern design would be acceptable in principle but it is noted that the existing building is noted in the CA Appraisal and Management Strategy as making a positive contribution to the Camden Square CA. there is a variety and ingenuity as the mews is characterised by these qualities but it is about scale, proportion, massing, volume and height that fit within the context, and of course high quality materials and details.

4.5 Specifically, the statement cites that the area contains inventive building developments that have also evolved over time. This has resulted in a character that is a unique mix of nineteenth, twentieth and twenty-first century ideas of the mews.

4.6 Like the neighbouring property at 99a Camden Mews, the subject building is considered a positive contributor with attention to detail such as its metal window divided into several lights, deep reveals and contextual material of stock brick. It sits on a larger-than-standard plot size for its context in the mews yet these design details contribute to creating a perceptively smaller size. In the same way, a new building is expected to respond with this same attention to detail so as to preserve the character and appearance of the CA and its immediate buildings at minimum but should also endeavour to enhance them in the same way the existing positive contributor does.

Assessment of proposal

Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, under s.72 of the Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

4.7 The proposed building (in all its versions including the most recent) would not enhance the CA, and more specifically in its immediate context would not preserve it either, thereby causing harm to the designated heritage asset of Camden Square CA.

4.8 National policy guidance set out in the National Planning Policy Framework ('NPPF') confirms the great weight in favour of the conservation of 'heritage assets' such as conservation areas. The particular significance of any element of the historic environment likely to be affected by a proposal should be identified and assessed. Any harm should require clear and convincing justification. In accordance with Paragraph 128, a description of the heritage asset's significance should be provided that in this instance is Camden Square CA. It is also a requirement to describe how proposed works would affect this significance. This exercise was not undertaken because there is no mention of the CA, the subject building being a positive contributor within it or the NPPF in the support documentation (the Design and Access Statement) submitted as part of the application.

4.9 The proposed building would fail to comply with Paragraph 131 because it would not sustain and enhance the significance of the heritage assets, being the conservation area nor would it make a positive contribution to local character and distinctiveness

4.10 Less than substantial harm would also be caused to the CA's character and appearance as a result of the new building because of its design, bulk, mass, lack of attention to detail that corresponds to its immediate context within the CA and the neighbouring properties on Camden Mews, being overly prominent and an out of context in design, also altering the informal nature of the garden by introducing formal terracing. As a result, Paragraph 134 of the NPPF, rather than Paragraph 133, applies, requiring the Council to weigh the "less than substantial harm" of those aforementioned designated heritage assets against the public benefits that accrue from a proposal including its optimum viable use.

4.11 Paragraph 7 describes three dimensions to sustainable development: economic, social and

environmental. In order to achieve sustainable development, a balance must be sought. Paragraph 8 outlines “to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system.”; This assessment has not been done because the application fails to properly evaluate the significance of the designated heritage asset, make an assessment of the impact of the proposed changes to the designated heritage asset based on the proposal or cite the NPPF.

4.12 The optimal viable use of the site and the public benefits that would accrue must be considered including for housing, carefully considering them against policy. It is considered that the benefits of the proposal would not outweigh or mitigate the harm that would be caused to the designated heritage asset (the CA) by any version of the proposal.

4.13 As the existing building is identified as making a positive contribution to the conservation area, there is a presumption in favour of its retention.

4.14 The design of the proposal by virtue of its generic and contextually unresponsive detailing, lack of high quality features that fail to respond to its immediate context would detract from the ingenuity and variety of buildings in Camden Mews, thereby not complementing the streetscene and being harmful to the character and appearance of the Camden Square CA. This is contrary to policy CS14 (Promoting high quality places and conserving our heritage) of the London Borough of Camden Local Development Framework Core Strategy and policies DP24 (Securing high quality design) and DP25 (Conserving Camden’s heritage) of the London Borough of Camden Local Development Framework Development Policies.

4.15 The proposal’s out-of-scale massing that does not correspond to Camden Mews predominate urban grain, its bulk at high level and its visually awkward and incongruent interface with neighbouring properties at roof level on either side would be overly dominant within the streetscene, detrimental to views of the property’s immediate context and beyond within Camden Square Conservation Area. This is contrary CS5 (Managing the impact of growth and development) and CS14 (Promoting high quality places and conserving our heritage) of the London Borough of Camden Local Development Framework Core Strategy and policies DP24 (Securing high quality design) and DP25 (Conserving Camden’s heritage) of the London Borough of Camden Local Development Framework Development Policies.”

6. Neighbouring amenity

6.1 Many of the residential properties on this Mews benefit from an existing roof terrace for amenity. It is considered that the proposal would not be creating any material overlooking across the mews, as opposing terraces have reasonable height parapet walls and many other properties are characterised by roof terraces towards the front, so any overlooking is mutual.

6.3 It is considered that the proposal would not affect daylight and sunlight to Nos .80a to 76 Camden Mews due to the distance between properties, and although the proposal would increase the height of a building on this plot from 5 metres to 8 metres it would in line with the height of other properties on this narrow mews. It would not project materially above or beyond the adjoining properties of No.99A and 95A Camden Mews and is a sufficient distance from No.248 Camden Road to the rear.

6.2 As mentioned above, the revised plans were submitted to alter the centre portion of the proposed front elevation wall at second floor level to reduce visual impact but would still project in front of the roof terrace at neighbour 99a which is located to the side of the pitched roof. 99A’s roof terrace would be within the immediate proximity, and is the neighbour’s the only main private amenity area for the occupiers. As such the loss of outlook from the terrace is considered material enough to refuse the

application.

6.3 The proposed building (In particular the side of House B) would lead to a materially detrimental loss of amenity to the adjoining neighbours, it is therefore considered to comply with polices CS5 and DP26 of Camden's LDF.

6.4 The proposed new building would impact is considered to lead to a materially detrimental loss of privacy and to an oppressive outlook to the neighbour at 99a Camden Mews, it is therefore considered to be contrary to polices CS5 and DP26 of Camden's LDF.

7. Transport, highways and services

7.1 Development policy DP18 states that the Council seeks to ensure that developments provide the minimum necessary car parking provision. The Council expects development to be car free in the Central London Area, the town centres of Camden Town, Finchley Road/Swiss Cottage, Kentish Town, Kilburn High Road and West Hampstead, and other areas within Controlled Parking Zones that are easily accessible by public transport. The site is located in the Camden Square Conservation Area and the Camden Square controlled parking zone (CA-N) which operates between 0830 and 1830 hours on Monday to Friday.

7.2 The design and access statement acknowledges that the site is designed to be car-free. A car free development would therefore need to be secured as a Section 106 planning obligation if the application were acceptable in accordance with Core Strategy policies CS11 and CS19 and Development Policies DP18, DP19 and DP21.

7.3 Development Policy DP18 (Paragraphs 18.12 and 18.13) requires development to provide cycle parking facilities in accordance with the minimum requirements of our cycle parking standards and it is expected that development provides cycle parking facilities in accordance with the minimum requirements of the London Plan.

7.4 The design and access statement states that secure cycle parking spaces would be provided. The proposed residential development consists of 2 units with 2 bedrooms or more. Therefore 4 cycle parking spaces would be required to meet the London Plan's minimum cycle parking requirement. The ground floor plan suggests there would be 6 cycle parking spaces. Therefore the number of cycle parking spaces exceeds the minimum requirement of the London Plan, which is welcomed by Camden.

7.5 The summary page of Development Policy DP21 states that 'The Council will expect works affecting Highways to repair any construction damage to transport infrastructure or landscaping and reinstate all affected transport network links and road and footway surfaces following development'. The footway and two vehicular crossovers directly adjacent to the site could be damaged as a direct result of the proposed works. In addition, vehicular crossover would become redundant and would therefore need to be removed. It is considered that a financial contribution for highway works would be required as part of a section 106 planning obligation if permission were granted.

7.6 In terms of construction, a primary concern is public safety and the council would also need to ensure that construction traffic does not create (or add to existing) traffic congestion in the local area. The proposal is also likely to lead to a variety of amenity issues for local people (e.g. noise, vibration, air quality). As the proposal involves substantial demolition Camden Development Policy DP20 states that Construction Management Plans should be secured to demonstrate how a development will minimise impacts from the movement of goods and materials during the construction process (including any demolition works).

7.7 Camden Mews is a narrow, one way residential street with limited access from the surrounding highway network. The proposal would involve the demolition of the existing residential dwelling and garages followed by the construction of the new residential dwelling. The Council needs to ensure that

the development can be implemented without being detrimental to amenity or the safe and efficient operation of the highway network in the local area.

7.8 There have been recent developments on Camden Mews, notably the planning permissions at No.85 (ref: 2014/4726/P) and No.102 (2014/5589/P) which were approved at Development Control Committee, the submissions required comprehensive CMPs and, like this application, raised concerns with regards to accumulative impacts from demolition and damage to the surface of the highway.

7.9 No.85s CMP required a full construction program, if this application would be resubmitted, it would also require a comprehensive CMP with a full construction programme detailing issues such as; how construction vehicles would be able to access the site on this narrow mews without holding up regular vehicles and possibly routing options to be discussed with local residents. Transport officers are aware of the need to take a coordinated approach to CMPs, with both 85 and 102 Camden Mews, and where the applicant would be required to work with other developers in the immediate area.

7.13. As the scheme fails to obtain legal agreements for the car-free, highway contributions and CMP s106 legal agreements, these constitute further reasons for refusal of the application.

8. Sustainability

8.1 The application submitted does not demonstrate compliance with policies CS14, DP22 and DP23 of the Local Development Framework. Whilst the Code for Sustainable Homes requirement has been withdrawn, the Council continues to require developments to demonstrate how sustainable design principles and climate change adaptation measures have been incorporated through the submission of a sustainability statement. This statement should demonstrate that the development is capable of achieving a maximum internal water use of 105 litres per day (5 litres for external water use).

8.2 The Council also continues to apply policies which require compliance with energy performance standards. New residential dwellings are required to demonstrate 20% carbon emissions reductions below part L Building Regulations 2013 (which is Code Level 4 equivalent).

8.3 The proposed development, in the absence of an acceptable sustainability statement to address the above, fails to demonstrate compliance with policies CS13 (Tackling climate change through promoting higher environmental standards) and CS19 (Delivering and monitoring the Core Strategy) of the London Borough of Camden Local Development Framework Core Strategy and policies DP22 (Promoting sustainable design and construction) and DP23 (Water) of the London Borough of Camden Local Development Framework Development Policies.

9. Other

9.1 CIL: As the proposal relates to the creation of a new residential unit it will be CIL liable. The proposal will be liable for the Mayor of London's CIL (166.8sqm x £50 = £8,340) and Camden CIL (266.8sqm x £500 (residential) = £133,400) as the proposal is creating new residential accommodation.

10. Conclusion

10.1 The applicant has not justified the demolition of a building that is identified as making a positive contribution to the character and appearance of the conservation area. The design, mass and bulk of the proposed buildings are considered unacceptable, and would not enhance the character or appearance of the conservation area. The proposal would create a detrimental impact to the amenity of neighbour at 99a Camden Mews by being overbearing to their roof terrace and would not the required sustainability standards, the submission also lacks the relevant car-free, highway works contributions and CMP s106 agreements.

Recommendation: Refuse planning permission by reasons of design, amenity, sustainability

and the lack of the relevant section 106 agreements.