

**Date: 06/04/2016**

**Our ref: 2016/0962/PRE**

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Dear Mr Ferrigno,

**Town and Country Planning Act 1990 (as amended)**

**Re: 97 Camden Mews, London NW1 9BU**

**Thank you for your enquiry received on 25 February 2016 regarding the change of use from motor repair garage (B2) to residential (C3) to provide 2 x 3 storey, 3 bedroom houses following the demolition of existing building.**

A site meeting has taken place as part of the pre-application process (with a conservation officer on 09/03/16).

This letter represents the Council's initial view of your proposals based on the information available to us at this stage. It should not be interpreted as formal confirmation that your application will be acceptable nor can it be held to prejudice formal determination of any planning application we receive from you on this proposal.

### **Overview of the Site**

Camden Mews was laid out at the same time as Camden Square and the adjoining streets and was intended that stable and coach houses would be built here to service the surrounding substantial houses. However, many sites remained empty as the area failed to maintain its early desirability, only being developed in the post WWII period.

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 existing building is a single storey brick with two metal shutters on the north side of Camden Mews. It is a mid-terrace motor repair garage that lies between the properties of 95a and 99a Camden Mews, formerly 'Franklins Autos'.

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

## **History**

**Planning reference: 2015/0271/P** - Change of use from Car garage (B2) to residential (C3) to provide 2 x 3 storey, 3 bedroom houses following the demolition of existing building-  
**Refused dated 11/11/2015.**

### **Refusal reasons:**

1. *The proposed building would, by virtue of its inappropriate bulk, scale, mass and detailed design, fail to respond to its immediate context and would detract from the character and appearance of the Camden Square Conservation Area.*
2. *The proposed building by reason of its height and proximity to the outdoor rooftop private amenity area of 99A Camden Mews would result in a harmful loss of outlook to the adjoining occupiers.*
3. *The proposed development, in the absence of an acceptable sustainability statement, fails to demonstrate how the proposal would incorporate sustainable design and construction measures.*
4. *Absence of s106 legal agreement to secure 'Car-free'*
5. *Absence of s106 legal agreement to secure 'Highway works'*
6. *Absence of s106 legal agreement to secure 'Construction Management Plan'*

The applicant has appealed the decision to the Planning Inspectorate on 01/03/2016 under written representations and is currently pending consideration.

It would be expected that the new application should address all of the above reasons for refusal.

## **Proposal**

The proposal seeks to demolish the existing building, replacing it with 2 x 3 storey residential 3 bedroom dwellings. The site measures 14.6 metres wide and the proposed new dwellings would completely infill the plot width.

## **Policy Context**

The relevant policies that would apply to this proposal are taken from the London Borough of Camden Local Development Framework (LDF) Core Development Strategy and Development Plan Policies adopted in November 2010 and the revised London Plan adopted 2015. The LDF is accompanied by supplementary Camden Planning Guidance documents (CPG) which have been adopted in July 2015 and partly revised since in 2013.

The following considerations contained within policies CS5, CS6, CS11, CS13, CS14 of the Core Strategy, policies DP2, DP5, DP6, DP13, DP16, DP17, DP18, DP19, DP20, DP21, DP22, DP24, DP25 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 principle of the demolition of the existing building, the impact of the development on the character, setting, context and the form and scale of neighbouring building, the Camden Square Conservation Area, and the transport impacts of the development.

Housing is regarded as the priority land-use of the Local Development Framework, and the Council will make housing its top priority when considering the future of unused and underused land and buildings. As such the provision of new residential accommodation is compliant with policies CS6 and DP2 subject to meeting the Council's residential development standards, its impact on local amenity and its impact on the character and appearance of the streetscene and surrounding conservation area.

#### **Land Use - The principle of the loss of business use and creation of new residential use**

The previous application included the loss of employment floorspace. This did not form a reason for refusal as the principle of the loss of employment use was considered acceptable. You would be expected in the new application to submit an up-to-date justification for the loss of employment use. I would like to remind you of the relevant policies in the paragraphs below.

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 and the lack of space makes it extremely difficult for the nature of the business to function, grow and develop, nor be used easily for a different operation.

The proposed loss of an existing business; proposals would have to accord with Development Policy 13, Core Strategy 8 and Camden Planning Guidance 5, Part 7 provides more detailed information regarding the circumstances where we will consider alternative uses for an employment site.

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 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.

The application site is not located within an employment centre, local or town neither centre. Camden has a very restricted supply of sites and premises for light industrial. This means that there is a high level of demand for the remaining sites.

97 Camden Mews is considered to be a "Category 3" site, which recognises the constraints of an industry within Camden Mews (lower level of protection). However, a Category 3 site may still be suitable for another employment generating use. Parts 7.12 and 7.18 are most

applicable to this proposal. Camden Planning Guidance 5 (Town Centres, Retail and Employment); considers such small premises as a Category 3 building and states that such sites are heavily compromised and may not be suitable for continued industrial use or need significant investment.

A comprehensive marketing report to justify the loss of a business use would be required within the application.

### **Principle of residential use**

Housing is regarded as the priority land-use of the Local Development Framework, and the Council will make housing its top priority when considering the future of unused and underused land and buildings. However, this priority does not override, but will be considered alongside, the need to protect some non-residential uses as mentioned above. However it is considered that the loss of business use is likely to be acceptable like the previous application as such, the new residential units are considered acceptable in principle.

### **Design, and Heritage Context**

Camden Mews is characterised by predominantly 2 storey and 3 storey buildings, many on undeveloped plots as architects' own studio houses. It boasts uniqueness of each building with varying and interesting design. 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 from the 1930s onwards as individual architectural compositions of significant quality. The urban grain of the mews is generally fine, largely characterised by narrow plots, whereas the subject plot is much wider, requiring that design must be the manner to ensure a development that is appropriately integrated in scale, height and mass.

Given its context (adjacent and opposite), a modern design may be acceptable in principle but it is noted that the existing building is noted as making a positive contribution to the Camden Square Conservation Area as cited (on page 34) in the Conservation Area Appraisal and Management Strategy (CAAMS) 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. 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. Like its 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 Conservation Area and its immediate buildings as a minimum but should also endeavour to enhance them in the same way the existing positive contributor does.

### **Principle for demolition**

97 Camden Mews is identified as a building that makes a positive contribution to the character and appearance of the Camden Square Conservation Area. Policy DP25 (paragraph c) states that the Council will 'prevent the total or substantial demolition of an unlisted building that makes a positive contribution to the character or appearance of a conservation area where this harms the character or appearance of the conservation area, unless exceptional circumstances are shown that outweigh the case for retention.'

You probably need to mention NPPF here for completeness and the tests that they need to meet in order to be considered acceptable.

The Council consider that the loss of the building would cause 'less than substantial' harm to the character and appearance of the conservation area and as such, paragraph 134 of the NPPF would apply. The Council would strongly resist the loss of the building unless demonstrable public benefits could be demonstrated which would outweigh this harm.

The existing building is a former motor repair garage and is a single storey brick building with a flat roof. The light-industrial use and character of the building reflects the pattern of historic uses prevalent within Camden Mews. The building's is of a modest scale, and contributes to the varied and interesting roofline of Camden Mews. However, the building itself is of little architectural merit, and appears to have been constructed in the early-twentieth century.

In a response to consultation on the previously refused scheme (2015/0271/P), Historic England stated that '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.'

In the light of the above, as well as the fact that the building is in a very poor condition and currently vacant, the principle of demolition and minor harm caused to the conservation area can be accepted subject to the replacement building being of the highest design quality that enhances the character and appearance of the conservation area, and crucially, maintaining the Camden Mews roofline. Demolition of the existing building will only be accepted if there are acceptable detailed plans for the redevelopment.

### **Detailed design and impact on the conservation area**

The Council's policy position on promoting high quality places which ensures Camden's places are safe, healthy and easy to use is set out in Policies CS14 ('Promoting high quality places and conserving our heritage') and DP24 ('Securing high quality design') and DP25 (Conserving Camden's Heritage).

Policy DP24 of the LDF expects all developments to be of the highest standard and to consider the character, the setting and context of neighbouring buildings. Policy DP24 also expects developments to consider the quality of materials that are used. Policy DP25 expects developments to only permit developments that preserve and enhance the character and appearance of the conservation area.

It is important that any proposed redevelopment of this site preserves the dominance of the prevalent two storey scale of buildings in Camden Mews. The Camden Square Conservation Area Appraisal and Management Strategy states in relation to Camden Mews 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' (p.48)

The pre-application submission has considered the character of Camden Mews, commenting on the irregularity of design and materials, the small scale and the variety and interest shown in the street's piecemeal development. This Camden Square Conservation Area Appraisal and Management Strategy defines this character as a 'unique mix of nineteenth, twentieth and twenty-first century ideas of the mews concept, from functional service areas to exemplars of urban living' (p.7), also commenting on the ingenuity, variety and inventiveness of developments that exist along the mews. It is clearly identified that modern developments on the mews are 'generally of two or two-and-a-half storeys and of a high design standard.'

The proposals are for two three-storey houses, with the second floor elements set back from the front building line by 2m. The proposals demonstrate that consideration has been given to how the scale, proportions and materials of the proposed buildings relate to and complement their surrounding context, and the proposals indicate that subject to further consideration being given to detailed elements, could result in a high quality scheme that enhances the conservation area's character. The fact that the building frontage maintains the established two-storey datum line set by the adjacent properties is welcomed and first floor set-back terraces also help to break up the massing of the frontage and create rhythm and visual interest.

While the proposed set-back of the second storey is welcomed, the level of visibility of the proposed second storey elements will need to be carefully considered, particularly as the front building line steps forward by over 1m from that at no.95a. Oblique views of the proposed development to show the relationships with adjacent buildings should be submitted alongside a full application to demonstrate that the proposed 2m recession is sufficiently subservient to the main building form and does not dominate that of neighbouring properties.

Consideration should be given to breaking up the massing and blank walls of the rear elevation, potentially through the provision of windows. These could be high level windows to reduce issues of overlooking to the garden of the property to the rear of the development.

The south-west corner of the development, which has a blank brick return of over 1m 95a Camden Mews, should also be given further consideration. It is acknowledged that the existing building has a single storey blank brick return, however extending this by an additional storey is not considered to be acceptable. Options for designing out this issue should be considered. A potential solution could be to include a perforation to the brickwork, which should be possible due to the terrace and bike stores behind.

Further detailed design considerations to ensure quality should be noted, including:

- window opening mechanisms
- depth of window reveals and shadow gaps

- trickle vents
- craftsmanship, colour, texture and finishes of proposed materials, including brickwork pointing
- extract vents

### **Quality of residential accommodation**

The proposed overall floorspace and suitable sized bedroom sizes for each 3 bedroom dwelling is considered to comply with the requirements of CPG2-residential development standards and London Plan standards. The layout of each dwelling mirrors each other. 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. The outdoor spaces in the form of the ground floor rear, and the first and second floor front terraces for each dwelling are considered acceptable and accords with Camden and London policies.

### **Housing Mix**

Policy DP5 – states the Council will contribute to the creation of mixed and inclusive communities by securing arrange of self-contained homes of different sizes with the priorities table below.

Dwelling Size Priorities Table					
	1-bedroom (or studio)	2-bedrooms	3-bedrooms	4-bedrooms or more	Aim
<b>Social rented</b>	lower	medium	high	very high	50% large
<b>Intermediate affordable</b>	medium	high	high	high	10% large
<b>Market</b>	lower	very high	medium	medium	40% 2-bed

Both new houses would provide 3 bedrooms. Although there is a very high priority for 2 bed market housing, the creation of 2 x 3 bed dwellings would provide a good mix and provide some family housing and would comply with this policy.

## **Amenity**

Protecting the amenity of residents and visitors is also a key Council priority. Policies CS5 ('Managing the impact of growth and development') and DP26 ('Managing the impact of development on occupiers and neighbours') set out the Council's stance in this respect.

The Council's adopted planning guidance provides further advice on the application of the Council's policies. Supplementary guidance document CPG1 (Design), CPG6 (Amenity). There is concern that the proposed terrace at first floor level would result in direct overlooking into the habitable rooms and outdoor terraces of the neighbouring gardens at the opposite neighbour's at No.80a to 76 Camden Mews.

Due to the nature of responses from the adjoining neighbours to the previously refused application, a daylight/sunlight assessment to assess the impact of the proposal on the daylight and sunlight of neighbouring occupiers on Camden Mews would be required with any application.

It is considered that the proposed roof terrace is an improvement to the amenity of the neighbour at 99A Camden Mews to what was proposed in the previously refused scheme, due to the further set back of the second story build and roof terrace with the addition of landscaping in between the two properties.

## **Transport/ Highways**

DP17 (Walking, cycling and public transport) seeks to promote sustainable travel options and Policy DP18 (Parking standards and limiting the availability of car parking) expects new developments to be car free. The site has a PTAL rating of 3 which is considered to be a moderate accessibility level.

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. The applicant would be required to sign up to a car free clause in a S106 Agreement for the new dwellings restricting any off street parking.

The proposed cycle storage of 3 cycles per unit at ground level is considered to comply with the London Plan 2015 cycle parking standards which require two cycles parking space for residential units with more than 1 bedroom. Dimensions of the cycle parking facilities need to be provided as well as the type of cycle parking stands to be provided as part of any future application and shown on the proposed drawings. Details of the cycle parking facilities would need to comply with the guidance provided within CPG7 (Transport).

CPG7 is available on the Council's website at the hyperlink below:

<http://camden.gov.uk/ccm/content/environment/planning-and-built-environment/two/planning-policy/supplementary-planning-documents/camden-planning-guidance.en>



Development Policy DP21 (j) 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, the vehicular crossover would become redundant and would therefore need to be removed. It is considered that within the application, a requirement to secure a financial contribution for highway works as a section 106 planning obligation would be required as part of any granting of planning permission.

Given the sensitivities of the site, the primary concern is public safety but 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 (CMP) 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. Any future application should be accompanied by a draft construction management plan setting out how construction matters would be dealt with, for example deliveries, how material will be stored and construction waste removed from site etc. This is particularly the case owing to the type of proposal; the applicant would also be required to enter into a S106 Legal Agreement in order to ensure the measures set out in this plan are adhered to. Please see CPG7 for details of the particular elements required to be included in the draft CMP. For ease of reference however I also attach a slightly updated list of CMP requirements, which transport planners, have prepared more recently than the CPG guidance.

### **Refuse and Recycling**

It appears that the proposed 2 x 140litre wheelie bins and 1x23 litre food waste bin would be adequate and are sensitively located. Chapter 10 of Camden Planning Guidance 1 (Design) sets out Camden's requirements for waste and recycling storage in detail, further details of this should be submitted with the application and shown on the proposed drawings.

### **Sustainability**

CS13 (Tackling climate change through promoting higher environmental standards) and DP22 (Promoting sustainable design and construction) requires development to demonstrate that sustainable design standards are integral to the proposal. You have touched upon this on your submitted statements, however, to reiterate; any new residential development (adding 1 dwelling or more) (unless new majors) will be expected to achieve the following standards:

- 35% reduction in CO2 emissions beyond Part L of the 2013 Building Regulations
- 20% of the energy reduction should be from renewable technologies, where feasible.
- Water efficiency of 110 litres per person per day

## **Trees & Landscaping**

It appears that there are several trees to the rear of the site which are within the ownership of the Hostel. As such it is recommended that a tree survey and arboricultural report be commissioned to demonstrate that the proposed works would not affect the trees on site and outline how they should be protected during site works. This should be submitted in support of any future planning application. The proposed drawings should also include indicative planting proposals if applicable.

## **Building Control**

The internal alterations would not require planning permission but please consider use of Council's Building Control services for assessment of the final build drawings. For more information, please visit their website, <http://www.camden.gov.uk/ccm/navigation/environment/building-control/>.

## **CIL**

The development would be liable to pay the Camden Community Infrastructure Levy to help fund facilities including road/other transport, schools, medical and sports/recreation/open spaces. The CIL is chargeable on all development over 100sqm at a rate of £500 a sqm.

## **Consultation**

You are strongly encouraged to engage with neighbouring properties and the Camden Square CAAC at an early stage in the process, given that residents are likely to have concerns, particularly with regards to the construction phase; delivery vehicles etc. Although adjoining occupiers will be notified of any application by us, initial consultation may help offset any concerns neighbours have before any application is submitted.

## **Conclusion**

The proposal for 97 Camden Mews may be considered to be acceptable in principle with regards to loss of employment and demolition subject to an acceptable scheme for replacement of the existing building.

The design is a creative and high quality approach which reflects the traditional materials of the Mews but introduces a contemporary design approach, which is considered to be acceptable and relates well to the history of the mews. However, further detailed design considerations within paragraph; *'Detailed design and impact towards the conservation area'*, should be considered and would be required to be submitted within the application.

Impact on the amenity of adjoining neighbours with regards to overlooking may need to be revised within an application.

It is noted that the mews is a confined, residential street and as such a construction management plan will be required to ensure limited impact on the highway/pedestrian network and amenity during construction.

If Planning Permission is recommended would be recommended after submission of an application it would likely to be subject to a S106 Legal Agreement covering the following Heads of Terms:-

- Construction Management Plan
- Highways contribution for streetwork repairs
- Car-Free development

### **How to submit your application**

Please submit you application electronically via the national Planning Portal.

### **When submitting a planning application, the following information will be required:**

- Appropriate fee
- Site location plan
- All existing elevations (including the front and the side), floor plans, sections and roof plan
- All proposed elevations (including the front and the side), floor plans, sections and roof plan
- Design and access statement
- Draft construction management plan
- Daylight and Sunlight Report
- Tree survey and arboricultural report
- Marketing report for the justification for the loss of business unit
- Sustainability statement
- Completed CIL form

### **After you submit your application**

It would be useful if you could let me know when you have submitted the application along with the planning portal reference number. I will then pick the application up as the case officer. We are legally required to consult on the application with individuals who may be affected by the proposals. We will notify your neighbours by letter, put up a notice on or near the site and, advertise in a local newspaper. The Council must allow 21 days from the consultation start date for responses to be received.

All consultation responses will be available to view on the Council's website using the planning application search page. It is likely that an application of this size would be determined through Development Control Committee.

I trust the above provides a useful summary; however should you have any queries about the advice contained in this letter please contact Raymond Yeung on 020 7974 4546.

In the event of the application being granted, the conditions suggested in appendix 1 should be attached along with entering into a Section 106 Legal Agreement for the clauses mentioned above.

If any further clarification of the appeal submissions is required please do not hesitate to contact Raymond Yeung on the above direct dial number or email address.

Please note that the information contained in this letter represents an officer's opinion and is without prejudice to further consideration of this matter by the Development Management section or to the Council's formal decision.

Thank you for using Camden's pre-application advice service.

**Yours sincerely**

**Raymond Yeung**

**Planning officer**

**Supporting communities Directorate**