

Date: 30/08/16
Your ref:
Our ref: 2016/3441/PRE
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Dear Ms Shell,

Town and Country Planning Act 1990 (as amended)
Re: Land adjacent to 43 Carol Street, NW1

Thank you for your enquiry received on the 20th June 2016, regarding the proposed artist's studio and ancillary facilities at basement, ground and 1st floor and two bedroom flat at 2nd and 3rd floor levels ('mezzanine').

The site comprises a yard area, ancillary to the adjoining multi let commercial property at 43 Carol Street. The eastern boundary abuts a block of three storey residential, terraced buildings fronting onto Carol Street. The site is bounded to the south by St Martin's Gardens, an area of designated Public Open Space.

The Site does not lie within a conservation area, however the whole of Carol Street has been added to the Local List in recognition of its architectural and townscape significance. It is described as an almost intact mid-19th century terraced street with high quality residential architecture and a very pleasing townscape created by the intactness of the group and its unaltered roofline. St Martin's Gardens is also on the local list and many of the surrounding terraces are either listed or on the local list.

Background

Pre-application advice was provided on 07/01/15 in connection with the erection of a 2 storey detached artist's studio at the above site (planning ref: 2014/7216/PRE)

Whilst an artist studio forms a major element of the current proposal, the design of the revised scheme is substantially different from that originally proposed and now includes a basement level and a 2-bed flat at 2nd floor with mezzanine floor above. Nevertheless much of the previous advice is still be relevant and this response should therefore be read alongside the previous response. There is also still the requirement that redevelopment proposals should be accompanied (at application stage) by a chronology outlining the history of the yard area and explaining how the criteria for policy DP15 have been met.

Land Use

Provided the loss of the Class D1 use can be justified, the change of use to an artist's studio (Use Class B1) may be considered acceptable. This specific land use issue was discussed more fully in the previous pre-application response. The amended scheme includes a self-contained flat at 2nd floor level accessed from communal stairs. Housing is regarded as the priority land-use of the Local Development Framework (Policy CS6 and DP2) and so the provision of a 2-bed flat would be welcomed.

Design

The scale, bulk, materiality and design of the building should reference and respond to the immediate context. There is no clear evidence of this at present. The adjoining terrace, Nos.1-23 Carol Street, has a simple restrained appearance and the existing 3 storey cottages provide an intimate scale. Despite the nature of the works within the industrial units, and so the nature of the space they require i.e. large floor plates and large floor to ceiling – these buildings work hard to reduce their presence on Carol street and do not take away from what is primarily a residential street. In addition, the uniformity of the cottages provides a rhythm to the terrace. Whilst the proposed building would be the same height as the terrace, the scale of the proposal would appear significantly larger due to the blank wall at the front and the various projections, mainly at the rear. The proposed scale and bulk would appear out of keeping, particularly from the park side, and so would be unlikely to be acceptable.

Whilst a contemporary approach would be welcomed, the architecture should respond to the context. This site will be mainly seen in its relationship with the residential terrace properties, especially from the rear, and so it is important that the design draws from this context. Some sort of relationship could also develop with the commercial units and the Council would welcome exploration of this in the development of your design. It should be demonstrated that there is a clear understanding of the context and you should show how this has been developed into an architectural approach.

The footprint of the previous proposal (2014/7216/PRE) covered almost the entire site with a courtyard along the boundary with 23 Carol Street and a courtyard at the rear of the site (south-east corner). Concerns were raised regarding the response to the urban grain of the neighbouring terrace, Nos.1-23 Carol Street and you were advised to reduce the footprint of the building. Whilst you have pulled the front building line back so that it would be in line with the neighbouring terrace and included a basement yard, the site coverage is still considered excessive. Extending beyond the rear building line would undermine the garden setting of the neighbouring residential terrace and would impact on St Martin's Gardens to the south.

Camden Planning Guidance emphasizes the importance of rear gardens and highlights their key functions as they:

- form part of the semi-public domain where they are overlooked by large numbers of properties and the occupants of surrounding buildings benefit from the outlook;
- form the character of an area in terms of the relationship between buildings and spaces and the resulting openness or sense of enclosure;
- provide a sense of the greenery where they can be viewed through gaps between buildings;
- provide a sense of visual separation and privacy;
- soften the impact of buildings and integrate them into their setting; and
- play a significant role in maintaining the biodiversity of the borough. In particular groups of trees and vegetation along the rear boundaries of garden provide important wildlife corridors within existing development patterns.

Extending beyond the rear building line of the existing terrace is therefore unlikely to be acceptable. However, should you wish to explore this further, a very strong case (for anything beyond the rear building line) would be required.

Basement

The proposed basement would cover almost the entire footprint of the site with an (approximately) 2.2m to 2.5m gap between the basement and the rear boundary. The Council provides specific guidance on basements in [Camden Planning Guidance](#) CPG4 (Basements and Lightwells). Larger basement developments, such as those of more than one storey in depth or which extend outside of the footprint of the building, can have a greater impact than smaller schemes. Larger basement developments require more extensive excavation resulting in longer construction periods, and greater numbers of vehicle movements to remove the spoil. These extended construction impacts can have a significant impact on adjoining neighbours through disturbance through noise, vibration, dust, and traffic and parking issues. Larger basements also can have a greater impact on the water environment by reducing the area for water to runoff and soak away. Basement development that extends below garden space can also reduce the ability of that garden to support trees and other vegetation leading to poorer quality gardens and a loss in amenity and the character of the area.

Proposals for basement development that take up the whole front and / or rear garden of a property are very unlikely to be acceptable. Sufficient margins should be left between the site boundaries and any basement construction to enable natural processes to occur and for vegetation to grow naturally. These margins should be wide enough to sustain the growth and mature development of the characteristic tree species and vegetation of the area. The Council will seek to ensure that gardens maintain their biodiversity function for flora and fauna and that they are capable of continuing to contribute to the landscape character of an area so that this can be preserved or enhanced.

The basement development should provide an appropriate proportion of planted material to allow for rain water to be absorbed and/or to compensate for the loss of biodiversity caused by the development. This will usually consist of a green roof or detention pond on the top of the underground structure. It will be expected that a minimum of 1 metre of soil be provided above basement development that extends beyond the footprint of the building, to enable garden planting and to mitigate the effect on infiltration capacity.

The basement footprint should therefore be reduced in size and pulled in from the side boundaries parallel to the gardens of the adjoining terrace.

As your proposal involves significant excavation a basement impact assessment (BIA) should also be submitted with any future application. This is required by policy DP27 and supplementary planning document Camden Planning Guidance. The BIA will include the following stages:

- Stage 1 - Screening;
- Stage 2 - Scoping;
- Stage 3 - Site investigation and study;
- Stage 4 - Impact assessment; and
- Stage 5 - Review and decision making.

Further detail on BIAs can be found in Camden Planning Guidance (CPG4 Basements).

At each stage in the process the person(s) undertaking the BIA process on your behalf should hold qualifications relevant to the matters being considered. We will only accept the qualifications set out in paragraph 3.6 of CPG4 (page 15).

In order to provide us with greater certainty over the potential impacts of proposed basement development, we will also expect an independent verification of the BIA, funded by the applicant. Once you have submitted your application further details of the independent verification process will be provided.

Lightwell

The Council provides guidance on lightwells in CPG4. Where basements and visible lightwells are not part of the prevailing character of a street *‘new lightwells should be discreet and not harm the architectural character of the building, or the character and appearance of the surrounding area, or the relationship between the building and the street. In situations where lightwells are not part of the established street character, the characteristics of the front garden or forecourt will help to determine the suitability of lightwells.*

In plots where the front garden is quite shallow, a lightwell is likely to consume much, or all, of the garden area. This will be unacceptable in streets where

lightwells are not part of the established character and where the front gardens have an important role in the local townscape’.

It is noted that lightwells are not part of the established character of Carol Street and the depths of the front gardens of the adjoining terrace are shallow. The acceptability of a front basement lightwell would be subject to reaching agreement of the overall design of the proposed building.

Quality of residential accommodation

A 2-bed flat is proposed at second floor level. Two-bedroom dwellings are a very high priority for market housing in Camden. The proposed inclusion of a flat that meets a very high priority is welcomed and would be in accordance with policy DP5.

The proposed flats would be expected to meet or exceed the National Space Standards. The nationally prescribed space standards have replaced the existing space standards used by each separate local authority. The 2-bed flat would have a floorspace of approximately 132sqm. This would comfortably exceed the national space standard for a 2 storey 2-bed flat for 4 persons (79sqm). Bedroom 1 would also exceed the minimum requirement for a double bedroom (11.5sqm). Lifetime Homes has been superseded by Part M4 (2) of the Building Regulations (1st October 2015). The Council would expect the development to meet Part M4 (2) of the Building Regulations. M4 (2) requires totally step free housing.

All habitable rooms should have minimum headroom of 2.3 metres. Whilst the mezzanine would not meet this requirement given the overall proposed floorspace for the 2-bed flat, this may be considered acceptable. A terrace is provided at 2nd floor level (18sqm). This would provide an acceptable level of external amenity space for the 2-bed flat

Amenity

The impact of the proposed three storey building on the neighbouring residential terrace should be assessed in a daylight/sunlight report. You are advised to submit further justification in the form of a daylight/sunlight report in support of an application. The report needs to be prepared in line with the methods described in the Building Research Establishment's (BRE) "Site layout planning for daylight and sunlight: A guide to good practice" 2011. It should also be demonstrated that the proposal would not appear overbearing and the outlook and privacy of neighbouring residential properties would not be compromised.

Trees

You have provided an 'Arboricultural Survey' and a 'Tree Root Investigation Report'. The proposed development would involve the loss of 3 trees on the site. Given the information provided regarding the quality of the trees, the Council would not resist the loss of these existing trees. However a suitable

replacement tree should be provided. We are not convinced that the area at the front of the site provides a suitable area for a replacement tree as this space appears highly constrained. We are also concerned that the size and distribution of the trial pits have not conclusively rule out the presence of roots from the London Plane trees in St Martin's Gardens. A trial pit should be dug parallel to the line of the proposed excavation and extending along the full width of the proposed excavation.

Transport

Your cover letter indicates parking would be provided for a single vehicle within the courtyard. The Council expects development in areas with high public transport accessibility to be car-free. The PTAL of the site is 6B (excellent) and therefore the development should be car-free. The residential unit would be secured car free via legal agreement. The 'accessway' appears large enough for several cars and you should investigate reducing its size. We may accept 1 space for the operational use of the artist studio but you would need to make a case for why that was necessary. You should also provide details of the type of vehicles accessing the site and it should be designed to accommodate the largest vehicle that you foresee visiting the site.

Accessible, covered and secure cycle parking should be provided within the boundary of the site. The level of provision should meet the minimum requirement of the London Plan. Two cycle parking spaces are required for the 2-bed flat and 3 spaces are required for 326sqm B1 artist studio (2 spaces for staff and 1 for visitors). These spaces could be provided in the accessway. Please refer to CPG7 Transport (chapter 9) for specific guidance on the location, design and layout of off-street cycle parking.

The development which involves the excavation of a basement is likely to raise amenity concerns. A construction management plan (CMP) would therefore be required in order to mitigate the impacts of construction. This would be secured as a section 106 planning obligation if planning permission is granted. A draft CMP (using our standard pro-forma) should be submitted in support of any subsequent planning application.

The proposed development is likely to cause damage to the public highway directly adjacent to the site. A financial contribution for highway works would be required and this would be secured as a section 106 planning obligation if planning permission is granted.

The proposed development would involve basement excavations directly adjacent to the public highway. An 'Approval in Principle' (AIP) would need to be approved by our Structures and Bridges Team prior to any basement excavation works commencing on site. The AIP and associated monitoring contribution would be secured as a section 106 planning obligation if planning permission is granted.

SUDS

The Council requires developments to reduce the pressure on the combined sewer network and the risk of flooding by sustainable urban drainage systems (SUDS). The volume and rate of run-off from heavy rainfall can be reduced through the use of SUDS including green and brown roofs, pervious paving and detention ponds or tanks. You should provide a Surface Water Drainage Proforma with your application. SUDS strategies should be designed in accordance with NPPF policy (and written Ministerial Statement) and London Plan policy 5.13 SUDS hierarchy to reduce run off rates to greenfield rates. Where reasonably practicable, run off volumes should be constrained to greenfield run off volumes for the 1 in 100 year 6 hour event.

Sustainability

All applications should demonstrate that they meet sustainable design principles as noted in policy DP22. All applications must demonstrate this through the submission of a sustainability statement – the detail of which to be commensurate with the scale of the development. The sustainability statement should also demonstrate that the development is capable of achieving a maximum internal water use of 110 litres per person per day (this includes 5 litres for external water use).

Any new residential development (adding 1 dwelling or more) will be expected to achieve a 19% reduction in carbon emissions from 2013 building regulations. Camden expects developments to target at least a 20% reduction in carbon dioxide emissions through the installation of on-site renewable energy technologies (policy CS13). When assessing the feasibility and viability of renewable energy technology, the Council will consider the overall cost of all the measures proposed and resulting carbon savings to ensure that the most cost effective carbon reduction technologies are implemented in line with the energy hierarchy.

Mayor of London's Crossrail CIL and Camden's CIL

The proposal will be liable for both the Mayor of London's CIL and Camden's CIL as the development involves the creation of new dwellings. The Mayoral CIL rate in Camden is £50 per sqm and Camden's CIL is £500 per sqm (zone B residential). There would be no Camden CIL charge for the 'artist studio' floorspace.

Conclusion

The proposed scheme was amended in response to previous pre-application advice and has been further developed to include a basement and a 2-bed flat. The scale and bulk of the amended scheme would appear out of keeping (particularly from the park side) and so would be unlikely to be acceptable. Whilst a contemporary approach may be appropriate, the architecture should respond more clearly to the context. Extending beyond the rear building line of the existing terrace raises significant concerns and the Council would require

a very strong case for anything beyond this. In addition the basement footprint should be reduced in size and pulled in from the side boundaries parallel to the gardens of the adjoining terrace to enable natural processes to occur and for vegetation to grow naturally.

The Council would welcome and recommend continued dialogue with a view to agreeing a scheme prior to a formal application.

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 Control section or to the Council's formal decision.

I trust this information is of assistance. Should you have any further queries please do not hesitate to contact me by telephone on 020 7974 5262.

It is important to us to find out what our customers think about the service we provide. To help, we would be very grateful if you could take a few moments to complete our [pre application enquiry survey](#). We will use the information you give us to monitor and improve our services.

Yours sincerely

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