

Address:	20-21 King's Mews London WC1N 2JB		5
Application Number:	2016/1093/P	Officer: Kate Phillips	
Ward:	Holborn & Covent Garden		
Date Received:	26/02/2016		
Proposal: Erection of 3 storey (plus basement) building to provide 7 no. self-contained residential units (1x 1-bed, 6x 2-bed), following the demolition of the existing 2 storey garage building			
Background Papers, Supporting Documents and Drawing Numbers Site Location Plan at 1:1250; P_01 Rev. H; P_02 Rev. E; P_03 Rev. D; P_04 Rev. C; P_05 Rev. C; D_06 Rev. B; D_07 Rev. B; D_08 Rev. B; D_09 Rev. B; D_10 Rev. A; D_11 Rev. B; D_12 Rev. B; P_13 Rev. G; P_06 Rev. H; P_07 Rev. D; P_08 Rev. C; P_09 Rev. G; P_10 Rev. E; P_11 Rev. D; P_12 Rev. E; L15/284/12-500 Rev P1; L15/284/12-501 Rev P5; Planning Statement by Montagu Evans (dated February 2016); Design & Access Statement Rev. E; Daylight and Sunlight Report by GVA (dated March 2016); An Historic Desk-Based Assessment by Pre-Construct Archaeology (dated February 2016); Planning Compliance Review by KP Acoustics (dated 16/02/2016); Condition Report by TCL Chartered Surveyors); Energy & Sustainability Statement by Cundall (dated 17/02/2016); Employment Land Supporting Statement (dated February 2016); Market analysis letter from Farebrother (dated 29/02/2016); Heritage Statement by AHP (dated June 2016); Basement Impact Assessment Rev B; BIA Groundwater supplement (dated April 2016); Basement and Ground Floor Slab Design Structural Calculations (dated April 2016)			
RECOMMENDATION SUMMARY: Grant conditional planning permission subject to a Section 106 Legal Agreement			
Applicant:		Agent:	
C/O Agent		MONTAGU EVANS LLP 5 Bolton Street London W1J 8BA	

ANALYSIS INFORMATION

Land Use Details:			
	Use Class	Use Description	Floorspace
Existing	B2	General Industry	351 m ² (GIA)
Proposed	C3	Dwelling House	556 m ² (GIA)

Residential Use Details:										
	Residential Type	No. of Bedrooms per Unit								
		1	2	3	4	5	6	7	8	9+
Existing	<i>Flat/Maisonette</i>									
Proposed	<i>Flat/Maisonette</i>	1	6							

Parking Details:		
	Parking Spaces (General)	Parking Spaces (Disabled)
Existing	<i>5+ internally (car repair workshop)</i>	
Proposed	0	0

OFFICERS' REPORT

Reason for Referral to Committee: Demolition of buildings considered to make a positive contribution to a conservation area / Minor application involving the construction of 5 or more single dwellings

1. SITE

- 1.1 The application site is 20-21 King's Mews, which is currently occupied by a car repair business (W Godleman & Son). The building is two storeys tall and constructed with brickwork which has been painted white. At ground level, there are two sets of double doors which open directly onto the street, and which allow vehicles to access the inside of the building (where the repairs take place). Above, at first floor level, there are 2 windows either side of a central servicing door. The first floor is used for storage.
- 1.2 The application site is on the eastern side of the street and backs onto properties on Gray's Inn Road (to the east). The eastern side of King's Mews is characterised by two and three storey mews properties, mostly dating from the latter part of the C20th. The western side features more modern, residential development (mostly 2 storeys with a set back third storey).
- 1.3 The application site is within the Bloomsbury Conservation Area. Nos. 20-21 are identified in the Bloomsbury Conservation Area Appraisal and Management Strategy (2011) as making a positive contribution to the character and appearance of the conservation area.
- 1.4 No. 55 Gray's Inn Road, directly to the rear (east) of the application site, is Grade II listed.

2. THE PROPOSAL

Original

- 2.1 This application seeks planning permission for the erection of a 3 storey (plus basement) building to provide 7x self-contained flats (1x 1-bed, 6x 2-bed), following the demolition of the existing building at the site.
- 2.2 The proposed new building would measure up to 9 metres tall (the plant enclosure on the roof would measure an additional 1.1 metres high) and 12.4 metres front to back. The third (above ground level) storey would be set back from the main front elevation by 0.9 metres. The top of the front wall (which would form the front of the roof terrace to serve the 2nd floor flats) would extend in line with the wall at Nos. 18-19 King's Mews (as the existing wall does currently). The new wall would be approximately 0.4 metres taller than the front wall at No. 22 King's Mews (as the existing wall is currently).

Revisions

2.3 Revised plans have been received during the course of the application, as follows:

- Alteration to dwelling mix (from 7x 2-bed flats to 1x 1-bed and 6x 2-bed flats)
- Revisions to front elevation
- Revisions to plant enclosure
- Provision of 1.8 metre privacy screen and fixed planter at northern end of 2nd floor roof terrace
- Revisions to floor plans to incorporate internal cycle parking and bin store
- Updates to boundary wall

3. RELEVANT HISTORY

55/57 Grays Inn Road 1/1A Northington Street and 20/21 King's Mews WC1

8501790 - Redevelopment of 55/57 Grays Inn Road and 1/1A Northington Street and the erection of an additional floor of accommodation to 20/21 King's Mews to provide residential light industrial retail and wine bar uses - **Refused 18-02-1986.**

8501789 - Redevelopment of 55/57 Grays Inn Road and 1/1A Northington Street and the erection of an additional floor of accommodation to 20/21 King's Mews to provide residential light industrial retail and wine bar uses - **Refused 18-02-1986.**

22 King's Mews

2014/5911/P - Erection of 3 storey dwelling house (Class C3) following partial demolition of existing office/storage building (Class B1/B8) – **Granted subject to a section 106 legal agreement 31/03/2015.**

2012/6290/P – Erection of 3 storey plus basement dwelling house (Class C3) following partial demolition of existing office/storage building (Class B1/B8). - **Refused 11-02-2013. Appeal dismissed 12-02-2014.**

23-30 King's Mews & 43-45 Grays Inn Road

2009/0710/P - Redevelopment of the site following the demolition of the existing 2 and 3 storey storage buildings at 23-30 King's Mews including the erection of a new part 3, part 4 storey building to accommodate 18 private residential flats (10 x 1 bed, 5 x 2 bed, 3 x 3 bed), and erection of rear extension at first to third floor levels and mansard roof extension at fourth floor level at 43-45 Gray's Inn Road and provision of a new shopfront associated with the retained retail use at ground and basement floor levels, and change of use of the upper floors from part offices and part residential to a wholly residential use to accommodate 7 affordable flats (3 x 1 bed, 3 x 2 bed, 1 x 4 bed) - **Granted Subject to a Section 106 Legal Agreement 13-05-2009.**

25 King's Mews

2015/6759/P - Alterations to the first floor lightwell, rear fenestration, front window, solar panels and facing materials as amendments to planning permission for the erection of three storey plus basement two bedroom dwelling, following partial demolition of existing warehouse/storage building granted on 25/03/2013 (ref: 2012/0972/P) and amended on 28/05/2014 (ref: 2013/6160/P) – **Granted 21/12/2015.**

2012/3870/C - Partial demolition of two storey warehouse/storage building. - **Granted.**

2012/0972/P - Erection of three storey plus basement two bedroom dwelling with terrace at second floor level (Class C3), following partial demolition of two storey existing warehouse/storage building (Class B1/B8) – **Granted subject to a section 106 legal agreement 25/03/2013.**

26 King's Mews

2016/1466/P - Variation of condition 2 (development in accordance with approved plans) granted under reference 2013/7847/P dated 13/02/2015 for erection of 3 storey plus basement dwelling following demolition of existing office/warehouse, namely alterations to façade including introduction of terrace at 1st floor level and reduction in width of terrace at 2nd floor level - **Granted Subject to a Section 106 Legal Agreement 13/05/2016.**

2016/1461/P - Installation of garage door and alterations to windows to front elevation to office/warehouse building – **Granted 12/05/2016.**

2013/7847/P - Erection of 3 storey 3-bedroom dwelling house with basement (Class C3), following demolition of existing office/warehouse (Class B1/B8) - **Granted Subject to a Section 106 Legal Agreement 13/02/2015.**

27 King's Mews

2015/6893/P - Erection of a three to four storey plus basement building comprising 3x flats with 2nd and 3rd floor terraces (Class C3) following demolition of existing office/warehouse (Class B1/B8) – **Decision pending.**

10-11 King's Mews

2015/2393/P & 2015/2618/L - Demolish two storey building and erection of 2 x 3 bedroom, four storey dwellings including a new basement floor - **Decision pending.**

5 Northington Street

2014/7911/P - Existing flat roof converted to new roof terrace, erection of glass stair enclosure and associated external alterations - **Granted 24-02-2015.**

2014/6128/P - Existing flat roof converted to new roof terrace with terrace accessed via existing stairwell - **Granted 09-12-2014**.

2007/5848/P - Alterations including replacement of windows and installation of two Juliette balconies at first floor level and a glass balustrade at third floor level to create a balcony to single dwelling house - **Granted 15-01-2008**.

2003/0170/P - Redevelopment by erection of a four-storey building with basement to create a three-bedroom dwelling and garage at ground floor. - **Refused 30/09/2003. Allowed at appeal 21/06/2004**.

2003/0171/C – Conservation Area Consent: Demolition of existing building - **Refused 30/09/2003. Allowed at appeal 21/06/2004**.

9300205 - The erection of a new third floor including the provision of dormer windows and a balcony the insertion of two windows on the King's Mews frontage the use of the first second and third floors as a residential maisonette and the insertion of a window on the ground floor of the Northington Street elevation in connection with the use of that floor for storage purposes - **Granted 01-04-1993**.

4. CONSULTATIONS

Statutory Consultees

4.1 None.

Conservation Area Advisory Committee

4.2 *Bloomsbury CAAC: We are concerned at the loss of yet 2 more mews work spaces. The nature of these mews streets is changing out of all recognition. Soon it will be impossible to see these streets as they once were, with a use and architecture unique to London. Also Central London needs to keep spaces like this where small businesses can flourish. We oppose this development.*

Local Groups

4.3 None.

Adjoining Occupiers

<i>Number of letters sent</i>	59
<i>Total number of responses received</i>	7
<i>Number in support</i>	0
<i>Number of objections</i>	7

4.4 A site notice was displayed on 06/04/2016 (consultation expiry date 27/04/2016) and a notice was displayed in the local press on 07/04/2016 (consultation expiry date 28/04/2016).

4.5 The comments from nearby and neighbouring occupiers relevant to planning are summarised below:

- Detrimental impact on conservation area
- Impact on setting of listed building / failure to consider impact on listed building
- Excessive bulk, height and massing
- New building will have no architectural merit
- Out of keeping with mews environment / destruction of last surviving building in the mews
- Substantial increase in height
- Plant enclosure is essentially a 4th storey and will appear ugly
- Different to design approved at No. 22
- Loss of privacy / sense of overlooking from rear windows
- Overlooking from roof terraces
- Less than 18 metre gap between new building and properties to the rear
- Sense of enclosure / overbearing impact to properties at the rear (including cumulative impact of existing and approved developments)
- Noise impact from roof terrace / plant
- Loss of sunlight/daylight
- Light pollution
- Noise and disruption during the construction period
- Impact of basement on surrounding properties stability
- Impact of basement on water table
- Loss of employment space / local business
- Increased traffic

5. POLICIES

5.1 LDF Core Strategy and Development Policies

LDF Core Strategy

CS1 (Distribution of growth)

CS3 (Other highly accessible areas)

CS5 (Managing the impact of growth and development)

CS6 (Providing quality homes)

CS8 (Promoting a successful and inclusive Camden economy)

CS10 (Supporting community facilities and services)

CS14 (Promoting high quality places and conserving our heritage)

LDF Development Policies

DP2 (Making full use of Camden's capacity for housing)

DP3 (Contributions to the supply of affordable housing)

DP5 (Homes of different sizes)

DP6 (Lifetime homes and wheelchair homes)

DP13 (Employment premises and sites)

DP16 (The transport implications of development)

DP17 (Walking, cycling and public transport)

DP18 (Parking standards and limiting the availability of car parking)

DP19 (Managing the impact of parking)

DP22 (Promoting sustainable design and construction)
DP24 (Securing high quality design)
DP25 (Conserving Camden's heritage)
DP26 (Managing the impact of development on occupiers and neighbours)
DP27 (Basements and lightwells)

5.2 **Supplementary Planning Policies**

Camden Planning Guidance (CPG)

CPG1 Design (2015)
CPG2 Housing (2015)
CPG3 Sustainability (2015)
CPG4 Basements and lightwells (2015)
CPG5 Town centres, retail and employment (2013)
CPG6 Amenity (2011)
CPG7 Transport (2011)
CPG8 Planning obligations (2015)

Bloomsbury Conservation Area Appraisal and Management Strategy (2011)

6. **ASSESSMENT**

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

- The principle of development / loss of employment;
- Dwelling mix;
- Affordable housing contribution;
- Quality of residential accommodation;
- Impact on the character and appearance of the wider area (including the Bloomsbury Conservation Area and the setting of the adjacent listed building);
- The impact on the visual and residential amenities of the occupiers of nearby and neighbouring residential properties;
- Transport considerations;
- Energy and sustainability and water;
- Basement considerations;
- Planning obligations and CIL

The principle of development

6.2 Policies CS8 and DP13 seek to safeguard existing employment sites and premises in the borough that meet the needs of modern industry and other employers. Paragraph 8.10 of the LDF Core Strategy notes that Camden has one of the lowest stocks of industrial and warehousing space among the London boroughs and the Camden Employment Land Review 2008 found that the cost of industrial locations in Camden is high, indicating that supply does not meet demand. There is pressure to redevelop land in the borough used for manufacturing and industry use and once the land has been redeveloped, there is little chance of it returning to industrial use again.

6.3 Policy DP13 specifically notes that the Council will retain land and buildings that are suitable for continued business use and will resist a change to non-business unless:

a) it can be demonstrated to the Council's satisfaction that a site or building is no longer suitable for its 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.

6.4 The policy goes on to note that, where a change of use has been justified to the Council's satisfaction, the Council will seek to maintain some business use on site, with a higher priority for retaining flexible space that is suitable for a variety of business uses. When it can be demonstrated that a site is not suitable for any business use other than B1(a) offices, the Council may allow a change to permanent residential uses or community uses.

6.5 The applicant has provided an Employment Land Supporting Statement which responds to point (a) above. The report notes that there are significant structural defects with the building due to the fact the building has had little repair or on-going maintenance in recent years. For example, the walls are inadequately restrained and there is noticeable bowing outwards of the front wall; there is cracking in the masonry; the secondary beams and support trusses or the roof are inadequate; there is rotting of the roof timber and rusting of the steelwork. The poor state of repair of the building is also confirmed in the Condition Report which accompanies the application.

6.6 With regards to point (b), the Employment Land Supporting Statement notes that 'W Godleman & Son' has occupied the building for the last 50 years, but the business owner is retiring in 2016 and no longer has a requirement for the premises. The report notes that the building is likely to be difficult to let due to the issues outlined above. The report also notes that the letting agent's Farebrother have advised that significant work would need to be undertaken to the building for it to comply with modern day requirements; for example, fire precautions and means of escape, access and servicing. Overall, the building is in a poor state of disrepair and requires substantial refurbishment before it could be marketed. The report also provides a list of approximately 50 other local garages in Camden, all performing a similar role and function to the existing business at the site.

6.7 Camden's Economic Development Officer has been consulted on the above information and considers that the applicant has satisfactorily demonstrated that the building is no longer suitable for business use and they have adequately justified why the property has not been marketed over an appropriate period of time to find an alternative tenant. On this basis, the loss of the employment space is considered to be acceptable, in line with the requirements of Policy DP13.

6.8 As noted above, Policy DP13 normally requires the retention of some business use on site, with a higher priority for retaining flexible space that is suitable for a variety of business uses; however, the Employment Land Supporting Statement quotes the

research document by Ramidus Consulting for the GLA entitled 'Small Offices and Mixed Use in the CAZ', which states that the provision of small offices in the current market broadly matches the level of demand and across the CAZ there is sufficient choice. The Employment Land Supporting Statement notes that it would seem arbitrary to provide small office accommodation in a location that is away from more attractive locations with a greater range of amenities and closer to public transport, when there is clearly demand for residential accommodation which would more closely reflect the character and appearance of the mews. On balance, taking into consideration the nature of the proposed development and the surroundings, this is considered to represent sufficient justification for the lack of re-provision of a business use on site.

- 6.9 On the basis that the loss of employment space is considered to be acceptable, Policy DP13 allows for a change to permanent residential use. To this end, Policy CS1 seeks to focus Camden's growth in the most suitable locations and it promotes the most efficient use of land and buildings in Camden. The policy specifically notes that the Council will seek development that makes full use of its site, taking into account quality of design, its surroundings, sustainability, amenity, heritage, transport accessibility and any other considerations relevant to the site. The principle of residential development on site is therefore considered to be acceptable, subject to the detailed considerations below.

Dwelling mix

- 6.10 Policy CS6 seeks to secure mixed and inclusive communities and a range of self-contained homes of different sizes, and Policy DP5 helps to implement this element of the policy by seeking to ensure that all residential development contributes to meeting the priorities set out in the Dwelling Size Priorities Table (DSPT); and by expecting a mix of large and small homes in all residential development.
- 6.11 The DSPT indicates that 2-bed units (market housing) have "very high" priority and 1-bedroom units (market housing) have "lower" priority; and the DSPT aims for market housing schemes to provide at least 40% 2-bed units. In this case, the proposal would provide 1x 1-bedroom unit and 6x 2-bedroom units, which is welcomed in terms of the provision of properties in high demand (i.e. 86% 2-bed units); however, the proposal fails to meet the requirement for a mix of large (3 or more bedrooms) and small homes.
- 6.12 Paragraph 5.7 of the LDF Development Policies advises that the Council will be flexible when assessing development against Policy DP5 and the mix of dwelling sizes appropriate in a specific development will be considered taking into account the character of the development, the site and the area; and Paragraph 5.10 guides that, when considering the proportion of large homes appropriate within a specific development, the Council will take account of any features that make the development particularly suitable for families with children; or the flexibility that larger dwellings create for other types of households (e.g. elderly or infirm relatives living with their families).

- 6.13 The applicant notes in their Design & Access Statement that a 3-bed unit would be less attractive to the market in a flatted development of this site, instead, the proposal creates 7 well-proportioned dual-aspect units of predominantly 2 bedrooms. Insofar as the proposal creates a high number of high-demand units (i.e. 86% 2-beds) and the building would not be particularly well-suited to families with children (for example, the lack of outdoor space for play etc.), or to cater for families with elderly or infirm relatives (only Unit 3 is step-free), the lack of provision of any large homes in the development is considered to be acceptable. Furthermore, previous permissions in the street have granted permission for larger, family-sized dwellings and therefore this proposal would add to the mix in the local area.

Affordable housing contribution

- 6.14 Policy DP3 requires all residential development with a capacity for 10 or more additional dwellings to make a contribution to the supply of affordable housing. The Council considers that a floor space of 1,000 square metres is capable of accommodating 10 family dwellings, and will expect all residential developments that would provide additional built residential floor space of 1,000 square metres to make a contribution to the supply of affordable housing. In this case, the proposal relates to 7 residential units and approximately 556 square metres of floor space, which means there is no requirement for the applicant to make a contribution towards affordable housing.

Quality of residential accommodation

- 6.15 Policy DP26 requires new development to provide an acceptable standard of accommodation in terms of internal arrangements, dwelling and room sizes and amenity space; facilities for the storage, recycling and disposal of waste; facilities for bicycle storage; and private outdoor amenity space.
- 6.16 The proposal provides the following:

Unit	Dwelling type	Floor space (sqm)	Required standard
Flat 1	2-bed-4-person (two storey)	86	79
Flat 2	2-bed-4-person (two storey)	95	79
Flat 3	1-bed-2-person (single storey)	54	50
Flat 4	2-bed-3-person (single storey)	65	61
Flat 5	2-bed-3-person (single storey)	64	61
Flat 6	2-bed-3-person (single storey)	62	61
Flat 7	2-bed-3-person (single storey)	61	61

- 6.17 The Government's current technical housing standards require a 1-bedroom-2person (1 storey) dwelling to provide 50 square metres of floor space (including 1.5 metres of built-in storage); a 2-bedroom-3-person (single storey) unit to provide 61 square metres of floor space (including 2 metres of built-in storage) and a 2-bedroom-4-person (2 storey) unit to provide 79 square metres of floor space (including 2 metres of built-in storage). All of the proposed units would comply with the required space standards.

- 6.18 All of the flats would be accessed from the communal hallway and all would be fully self-contained. The entrances to Flats 1, 2 and 3 would be on the ground level; the entrances to Flats 4 and 5 would be on the 1st floor (accessed via the communal staircase); and the entrances to Flats 6 and 7 would be on the 2nd floor (also accessed via the communal staircase).
- 6.19 In all of the flats the bedrooms would be located at the rear of the building and in all of the flats, except Flat 3, the main living spaces would be located towards the front of the building. Flat 3 differs insofar as it is L-shaped and wraps around Flat 2 (in order to make it dual-aspect) and in this particular unit, the living room would be located at the rear of the building and the kitchen would be located at the front. In terms of stacking corresponding uses above each other (or beside each other in the case of Flats 2 and 3), the overall design of the building is considered to be acceptable to mitigate against noise transfer between the separate units because similar uses are stacked above each other and in Flat 3, the living space would be adjacent to the living space in Flat 2.
- 6.20 All of the flats would be dual-aspect; however, the outlook to the rear would be restricted for all units. The rear-facing windows on the upper 2 floors would feature obscure glazing to prevent overlooking to the properties to the rear (a planning condition can ensure that these windows are obscurely-glazed and non-opening below a height of 1.7 metres and that this remains the case in the future) and the rear-facing openings on the lower floors would face out onto the sunken lightwell / void (1.1 metres). However, all of the flats would benefit from a pleasant outlook from the living rooms (or in the case of Flat 3, the kitchen) at the front of the building, which compensates for the lack of outlook at the rear.
- 6.21 In Flats 4, 5, 6 and 7 it would be possible to access any habitable room without having to pass through another (revised plans have been received during the course of the application which include kitchen doors in Units 4 and 5 to contain these rooms). In Flat 1 the kitchen would be accessed via the study room (through sliding doors), which is considered to be acceptable because the study could feasibly be used as an eating area by future occupiers instead of taking meals upstairs to the living rooms. In Flat 2, the only room on the ground floor would be the living room and all of the rooms at lower ground floor level would be accessed via the study. In this unit it is considered that the study would perform as a landing area / through-route rather than a room in itself and so the layout is judged to be acceptable. In Flat 3, the kitchen would be accessed via the living room, which is considered to be acceptable because the kitchen would only be separated from the living room by pocket doors and could therefore essentially perform as an extension of the living room.
- 6.22 In all of the flats there would be a permanent partition between eating and sleeping areas. In Flats 1, 2, 3, 4 and 5 the living rooms would be physically separated from the kitchens (albeit only by pocket or sliding doors in some cases), whereas Flats 6 and 7 would feature open-plan kitchen / living spaces. This is considered to be acceptable because the size of these rooms is considered to be sufficient to cater for the greater range of activities that will take place in them.

- 6.23 All of the flats would benefit from adequate built-in storage space and a communal bin store would be provided within the building at ground floor level, to cater for the storage, recycling and disposal of waste, which is considered to be acceptable. Paragraph 10.23 of CPG1 notes that internal bin chambers should have appropriate passive ventilators to allow air flow and prevent unpleasant odours. The ventilation must be fly and vermin proofed and near to either the roof or floor, but away from the windows of dwellings. The Council's Environmental Health Officer is satisfied with the proposal. It is recommended that a condition be attached to require the submission and approval of details of the bin store ventilation prior to the commencement of development.
- 6.24 Policies DP6 and DP29 seek the provision of accessible homes. In this case, Flat 3 is the only unit capable of being adapted to wheelchair use in the future (due to the lack of steps to access the unit, and within the unit). On this basis, a planning condition can require this unit to meet Part M4(2)(a) of Building Regulations.
- 6.25 Revised plans have been received during the course of the application to provide cycle storage. The dedicated communal cycle store would be located within the building at ground floor level and would provide space for 13 bicycles, which is considered to be acceptable (see section on Transport considerations).
- 6.26 A Daylight & Sunlight Report was submitted with the original application, which notes that all of the bedrooms will meet the BRE's required 1% criteria for Average Daylight Factor (ADF), with many in excess of this figure. The report looks at 5 of the 7 kitchen / living rooms (it does not assess the subterranean kitchens / studies in Flats 1 and 2) and it notes that 3 of the 5 will be in excess of the required 1.5% criteria, and 2 will fall short. The report notes that BRE guidelines infer that kitchens do not require access to daylight and sunlight, but that they should be directly connected to a well-lit living room. The lack of natural daylight in the first floor kitchens is considered to be acceptable, insofar as these units provide physical separation between the cooking and living areas (also, it would be easy to adapt these units in the future to incorporate the kitchens into the main living spaces if desired). In the basement, the kitchens would have clerestories with ground level windows to provide some natural light. It is considered likely that the kitchens would be dark, particularly during the morning (when the sun is coming from the east), and the studies are likely to be particularly dark, given their position in the centre of the building, below ground level; however, insofar as Flats 1 and 2 are maisonettes located across the basement and ground floor levels, the lack of natural light in the basement rooms is considered to be acceptable because the ground level living rooms would exceed the BRE's required 1.5% criteria for ADF.
- 6.27 In terms of sunlight, BRE guidelines advocate testing windows that face within 90 degrees of due south. In this case, because the windows would face broadly east and west, they would only receive sunlight for half the day (depending on where the sun is coming from). Nevertheless, the Daylight & Sunlight Report notes that the majority of rooms will satisfy the annual guideline of 25% and the winter guideline of 5%, which it notes is considered excellent for an inner-city environment.
- 6.28 With regards to overlooking from surrounding properties, there will be some overlooking from the properties to the rear on Gray's In Road and Northington

Street; however, due to the use of obscure glazing, this would not be perceived by future occupiers within the new building. There is also likely to be some overlooking from properties on the western side of King's Mews and the adjacent building on the corner, No. 5 Northington Street. Revised plans have been received which illustrate the provision of a 1.8 metre tall privacy screen and a fixed planter at the northern end of the 2nd floor front roof terrace, which would prevent overlooking between the new building and No. 5 Northington Street. With regards to the buildings on the western side of King's Mews, a similar relationship already exists between other facing properties in the street, and some degree of overlooking is to be expected in a mews setting such as this. On balance, any overlooking between these properties is considered to be acceptable.

- 6.29 Flats 6 and 7 would each benefit from a small roof terrace at the front of the building and Flats 1 and 2 would be able to access the sunken lightwell at the rear. None of the other flats would benefit from any private outdoor amenity space. Section 7 of the Design & Access Statement lists nearby parks and green spaces within walking distance of the application site. On balance, the lack of private outdoor space is considered to be acceptable, taking into account the Central London location and the fact that none of the flats are particularly well suited to families with children.
- 6.30 Overall, it is considered that the new dwellings would provide an acceptable standard of residential accommodation, in accordance with Policy DP26.

Impact on the character and appearance of the wider area (including the Bloomsbury Conservation Area and the setting of the adjacent listed building)

- 6.31 The application site is within the Bloomsbury Conservation Area, wherein the Council has a statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of the area. The building is identified in the Bloomsbury Conservation Area Appraisal and Management Strategy (2011) (BCAAMS) as making a positive contribution to the character and appearance of the conservation area, because it retains its historic interest.
- 6.32 The adjacent building to the rear, No. 55 Gray's Inn Road, is Grade II listed, and the Council has a statutory duty to have special regard to the desirability of preserving a listed building(s) or its setting or any features of special architectural or historic interest which it possesses.
- 6.33 The National Planning Policy Framework (NPPF) guides that, in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected and the level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. A Heritage Statement was submitted with the application, which was amended in June 2016, in response to comments from the Council's Conservation Officer. It is considered that the applicant has now adequately considered the significance of the building, in line with the requirements of the NPPF.

- 6.34 Paragraph 138 of the NPPF guides that the loss of a building which makes a positive contribution to the significance of a conservation area should be treated either as substantial harm under paragraph 133 or less than substantial harm under paragraph 134, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the conservation area as a whole. Paragraph 133 guides that where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply: the nature of the heritage asset prevents all reasonable uses of the site; and no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and the harm or loss is outweighed by the benefit of bringing the site back into use. Paragraph 134 guides that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.
- 6.35 Policy DP25(c) of the LDF reflects the guidance in the NPPF. It 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.
- 6.36 The applicant's Heritage Statement confirms the positive contribution that the existing building makes to the Bloomsbury Conservation Area. The statement notes that Nos. 20 and 21 King's Mews were originally two mews properties and they were combined some time between 1872 and 1894. Prior to that time, it is likely that each had stables and a coach house at ground level, with haylofts and residential accommodation above. The building was converted to a motor garage in the mid C20th and it has undergone extensive internal and external alterations since it was first built. The façade retains some elements of its original character, but nothing remains of the original internal layout.
- 6.37 The Heritage Statement notes that many mews buildings in the surrounding area were demolished in the later C19th and the building's survival therefore contributes to its historical value; however, this has been severely compromised by alterations. They note that, given the poor state of disrepair that the building is in (as confirmed by the Condition Survey), it does not have a long-term future either physically or economically and any value is therefore sentimental. In correspondence with the Council's Conservation Officer, the applicant notes that, whilst the façade is at least the ghost of the former mews buildings and the fabric has some historic value, upon closer inspection, 60% of the brickwork on the front elevation is C20th (1960's). The façade retains some C19th fabric, but steel bressumer beams, infill masonry and twentieth-century doors and windows have been inserted which have reduced the remaining C19th façade to panels of brickwork. After removal of the changes, the C19th fabric would have neither structural integrity, nor architectural interest. This marks a contrast with the retained façade at No. 22 (granted in

permission 2014/5911/P, further referred to in 6.40, below), which retains greater C19th character and structural and architectural integrity.

- 6.38 The proposal involves the total loss of the existing positive contributor which is an asset of some historic interest, and would by this demolition result in a very modest degree of less than substantial harm to the designated heritage asset, the Bloomsbury Conservation Area. On balance, it is considered that the applicant has provided sufficient justification for the loss of the building which is a positive contributor, in line with the requirements of the NPPF and Policy DP25. Furthermore, the proposal would provide 7x new dwellings, and would therefore contribute to the Council's wider aim of increasing housing provision in the borough, which may be regarded as a public benefit required, as by the NPPF
- 6.39 On the basis that the loss of the positive contributor can be justified, it is important to ensure that the future development of the site contributes positively to the character and appearance of the Bloomsbury Conservation Area, in line with the requirements of paragraph 131 of the NPPF and Policy DP25(b) of the LDF. The loss of the modest but particular historic contribution made by the existing building is mitigated by good, contextual design, including deference to historic grain, building form, and in the choice and quality of materials and finishes, which ensure that the character and appearance of the Conservation Area would be conserved by the proposals which will produce a building which makes its own positive contribution.
- 6.40 In terms of the proposed height and form of development, a key consideration is the approved works at No. 22 King's Mews (the adjacent plot to the south). An application was made in 2012 to demolish the existing building and replace it within a 3 storey building plus basement; however, the application was refused by the Council and then dismissed at appeal (based on the impact on properties to the rear). In 2014 an application was approved by the Council for similar works, but with the retention of the front façade of the building and a revised design at the rear of the building 2014/5911/P). If and when the extant planning permission at No. 22 is implemented, the new third storey will add 2.7 metres to the height of the existing building. The balustrade at the front of the roof terrace (set just behind the existing front wall) will measure 1.1 metres high and the front elevation of the third storey will be set back from the main front façade by 1.5 metres. The roof of the building, which would not be visible in the public realm, will step down at the rear until the building meets the party wall (i.e. there will be no gap to the rear).
- 6.41 The front wall of the proposed new building at the application site would measure up to 6.7 metres tall (as the existing front wall does now), and the third storey (which would be set back by 0.9 metres) would measure 2.3 metres tall. The stepping back of the third storey would reduce the bulk and massing of the building when viewed from street level and it is considered that the new building would relate well to No. 22 King's Mews. Although the third storey at the application building would not be set back by the same amount as at No. 22 (0.9 metres compared to 1.5 metres), this is considered to be acceptable insofar as the replacement building's front wall is already taller than the front wall at No. 22 and it is not uncommon for adjacent buildings in a street to have different designs and sizes. Even if the approved works at No. 22 are not implemented, it is not

considered that the proposed replacement building at Nos. 20-21 would detract from the street scene along this part of the mews or appear unduly large next to No. 22.

- 6.42 The evolution of plot, function and form is part of the current building's contribution to the character and appearance of the Conservation Area, but has reached a dead end in the dilapidated garage. The manifestation of this contribution in the surviving fabric is, as noted above, limited by extensive alteration and very poor quality. The proposed new building would present a unified coherent design, articulating two subtly distinguished elevations to the street, which as noted in the Heritage Statement reflects the historical development of the plots and form of buildings on the site. In this way the proposed new building would restore something of the historic grain of the mews as experienced from the ground, while reflecting in its design the historic and functional evolution of the plots as a single site. The proposed materials drawing illustrates that the two elevations of the new building would feature different facing materials, which would strengthen the sense of it being two separate buildings
- 6.43 The existing building at the site is simple and utilitarian in its evolved appearance, which has emerged as a result of its function rather than by architectural design. The replacement building would be a more deliberate and contextual presence in the street scene along King's Mews by virtue of its considered and more unified elevational design. Revised plans have been received during the course of the application in the course of negotiation aimed at better conserving and enhancing the character and appearance of the Conservation Area by means of detailed design. The stone reveals at first floor level have been omitted, the window openings at 2nd floor level have been reduced and altered and there would be brick walls at first floor level in front of the metal balustrades instead of railings (to provide more solidity on the front elevation). A proposed tonal contrast between the brickwork of the two elevations has been toned down. The new design presents as two modern mews houses, but draws on the slight asymmetries, fenestration pattern, horizontal emphases and materials of the building which occupies the site at present to conserve something of the contribution to character made by its historic mews functions and pragmatic adaptation. A planning condition can require the submission and approval of sample materials prior to the commencement of development, to ensure they are of a suitably high standard for the conservation area setting. Following these changes, it is now considered that the proposed building would make a positive contribution to the character and appearance of the street scene and the Bloomsbury Conservation Area.
- 6.44 The plant enclosure on the roof would measure 6.6 metres by 2.5 metres and 1.1 metres tall. However, it would be located towards the rear of the roof, where it is unlikely to be visible in the public realm, which is considered to be acceptable. Notwithstanding the fact it would not be visible in the public realm, it would be visible from a number of surrounding properties and a planning condition can require the submission and approval of details of its construction prior to its installation, to ensure that the proposed materials would blend well with the roofscape and the surrounding area.

- 6.45 The design of the rear of the building would be different to the approved design at the rear of No. 22, where the building will step down towards the rear. However, as already noted, there is no requirement for adjacent buildings to copy each other's design and the rear elevations of the buildings would not be visible in the public realm. The proposed design, with the rear elevation set away from the party boundary is considered to be acceptable.
- 6.46 As noted above, No. 55 Gray's Inn Road is Grade II listed. The outlook from the rear of this building would be altered by the proposed new building. Currently, it is considered that 20-21 King's Mews makes a very limited contribution to the setting of the listed building by presenting its blank rear wall to it; and whilst the existing form and scale is appropriate to a mews building, the two sites no longer have any formal relationship with each other. The proposed scheme retains a blank wall on the party wall line, albeit lower in height, which ensures that the visual relationship between the two sites would remain much the same. It would be possible to view the rear elevation of the new residential units, set approximately 1.4 metres behind the wall, but the view of the building would be understood as the rear of the mews property and so would not harmfully alter the setting's contribution to the special interest of the listed building.
- 6.47 The plans illustrate the provision of a 1.8 metre tall frosted glass privacy screen at the northern end of the 2nd floor front roof terrace. The glazed screen would match the glazed balustrades on the front of the building and at other buildings on the street, which is considered to be acceptable.
- 6.48 Overall, subject to the suggested conditions, it is considered that the proposed works would be in keeping with the character and appearance of the wider area and it is considered that the proposal would preserve and enhance the character and appearance of the Bloomsbury Conservation Area. It is also considered that there would be no harm to the setting of the adjacent listed building, No. 55 Gray's Inn Road. The application is therefore considered to be acceptable in this regard.

The impact on the visual and residential amenities of the occupiers of nearby and neighbouring residential properties

- 6.49 Policy CS5 seeks to make sure that the impact of developments on their occupiers and neighbours is fully considered. Policy DP26 notes that the Council will protect the quality of life of occupiers and neighbours by only granting permission for development that does not cause harm to amenity. The factors to consider include: visual privacy and overlooking; overshadowing and outlook; sunlight, daylight and artificial light levels; noise and vibration levels; odour, fumes and dust; microclimate; and the inclusion of appropriate attenuation measures.
- 6.50 CPG6 (Amenity) notes that there should normally be a minimum distance of 18 metres between the windows of habitable rooms of different units that directly face each other to prevent overlooking, which cannot be achieved at the application site. Instead the separation distance is approximately 7 metres and therefore the rear-facing windows on the upper 2 floors of the new building (which are the only windows which are likely to cause any overlooking towards the properties to the rear) would feature obscure glazing and would be fixed shut below 1.7 metres in

height (which a planning condition can ensure remains the case in the future). Whilst there may still be a perceived sense of overlooking from these windows, this is unavoidable in a mews-type setting such as this. On the basis that there would be no real overlooking to the properties to the rear, the proposal is considered to be acceptable in this respect.

- 6.51 With regards to the properties on the western side of King's Mews, the separation distance is approximately 6 metres. Insofar as a similar relationship between buildings in the street already exists, the likely level of overlooking is considered to be acceptable. In a narrow mews-type setting such as this, some degree of overlooking between facing units will be expected by future occupiers. With regards to No. 5 Northington Street, the plans illustrate the provision of a 1.8 metre tall privacy screen at the northern end of the 2nd floor front roof terrace, which would prevent overlooking between the new building and No. 5 Northington Street.
- 6.52 The existing building at the application site measures 6.7 metres tall (7.5 metres tall to the top of the pitched roofs), whereas the replacement building would measure up to 9 metres tall (above ground level) and the plant enclosure on the roof (which would measure 6.6 metre by 2.5 metres) would measure an additional 1.1 metres tall. Whereas the existing building covers the whole plot, the replacement building would be set back from the rear boundary wall by 1.4 metres; however, the wall on the party boundary would be 1.9 metres lower than the rear wall of the existing building, which would make the rear elevation of the replacement building more visible.
- 6.53 It is recognised that the replacement building would have greater mass and bulk than the existing, particularly when viewed from the rear; and that it would impact on the outlook from the buildings directly to the rear on Gray's Inn Road (especially the lower level windows). However, on balance, it is not considered that the impact is sufficient to warrant a refusal of the application on this basis. The replacement building, although taller, would be set back from the shared boundary line by over 1.4 metres (the plant enclosure would be set back by a further 1.4 metres), which mitigates against the increased height, and the building would still be significantly lower in height than the buildings fronting onto Gray's Inn Road. When viewed from above (i.e. from neighbouring buildings), it is considered that the proposed green roof would soften the appearance of the building and provide a pleasant roofscape.
- 6.54 When viewed from the lower windows at the properties facing onto Gray's Inn Road (and from the outdoor amenity spaces associated with these dwellings), the replacement building would undoubtedly change the existing outlook; however, due to the separation distance it is not considered that the new building would cause an undue sense of enclosure or appear excessively overbearing. Although views across the existing rooftop of the existing building at No. 20-21 King's Mews would be lost, in planning terms there is no right to a view and it is considered that the outlook from the properties at the rear would remain satisfactory, albeit altered.
- 6.55 In terms of sunlight and daylight, the application is accompanied by a Daylight & Sunlight Report. The report notes that, at Nos. 49 and 57 Gray's Inn Road, all windows and rooms will satisfy all the tests for daylight and sunlight. At No. 55 Gray's Inn Road, all windows and rooms will satisfy all the tests for daylight, with

the exception of Vertical Sky Component (VSC) to 2 ground floor windows. The Vertical Sky Component is expressed as a ratio of the maximum value of daylight achievable for a completely unobstructed vertical wall. The maximum value is almost 40%, because daylight hitting a window can only come from one direction immediately halving the available light. The value is further limited by the angle of the sun. A 27% VSC constitutes adequacy, but where this value cannot be achieved a reduction of up to 0.8 times its former value (i.e. a 20% reduction) would not be noticeable. However, the two windows which fail are only notionally beyond the 20% guidance (24.10% and 23.29%) and unlikely to be noticeable (currently, the percentage VSC levels in the rooms are already well below the recommended standard at 20.66 and 16.53 respectively thus a relatively low light reduction translates to a high value in percentage terms). The ADF and No-Sky-line results demonstrate that daylight within the room will remain satisfactory. For sunlight, all windows will satisfy the annual and winter sunlight tests.

- 6.56 At Nos. 51 and 53 Gray's Inn Road, all windows and rooms will satisfy all the tests for daylight, with the exception of VSC to 1 ground floor room; however, this window is in a room that is served by six windows in total and therefore will have little consequence to the daylight entering the room. For sunlight, all windows will satisfy the annual and winter sunlight tests, the exception being 1 window which will retain 24% annual sunlight against the 25% recommended benchmark, which should be deemed acceptable in an inner-city location.
- 6.57 At No. 13 King's Mews, all windows and rooms will satisfy all the tests for daylight, with the exception of 2 reductions to the No Sky-line at first floor level. However, these rooms are exceptionally well lit in the existing situation and therefore still retain daylight to 68% and 70% of the room, which should be considered acceptable. No Sky-line is a measure of the distribution of diffuse daylight within a room. If a substantial part of a room falls behind the No Sky-line contour, the distribution of light within the room may be poor. BRE guidelines state that if the no sky-line moves so that the area of the existing room which does not receive direct sunlight is reduced to less than 0.8 times its former value (i.e. a 20% reduction), then this will be noticeable to occupants. In this case, the percentage loss of existing will be 23.41% and 26.25%. But as noted, the rooms are currently considered to be well lit. For sunlight, this property does not contain any windows that face within 90° of due south and therefore does not have a reasonable expectation of direct sunlight
- 6.58 At No. 14 King's Mews, all windows and rooms will satisfy all the tests for daylight, with the exception of 1 reduction of 26.17% to the No Sky-line at ground floor level, compared to the 20% guideline. However, this room remains adequately lit with over 50% receiving daylight, which should be considered acceptable. For sunlight, this property does not contain any windows that face within 90° of due south and therefore does not have a reasonable expectation of direct sunlight.
- 6.59 The Daylight & Sunlight Report concludes that all windows / rooms will retain good levels of daylight and sunlight, or will not suffer noticeable reductions and therefore the BRE guidelines will be satisfied. Overall, the proposal is considered to be acceptable in this respect.

- 6.60 It is not considered that the proposal would give rise to unacceptable light pollution or light spillage. Although the level of light emitting from the replacement building would be greater than from the existing (which is a business that is closed at night and which has no windows at the rear), the likely levels of light from a residential building are unlikely to cause undue harm to nearby and neighbouring residential properties, especially in a built-up, central London location such as this.
- 6.61 With regards to noise, future residents would not have access to the sunken lightwell / void at the rear of the building (which a planning condition can ensure remains the case in the future) and therefore there is unlikely to be a problem with noise transfer from people using this outdoor space. Furthermore, the applicant has confirmed that there will be no access to the roof of the building, except for maintenance purposes (which a planning condition can ensure remains the case in the future).
- 6.62 Plant (in the form of air-conditioning units) would be located on the roof of the building. An Acoustic Report has been submitted with the application, which notes that the transmission of noise to the nearest sensitive windows would satisfy the Council's requirements, subject to the installation of louvres on the plant enclosure. A suitable planning condition can ensure that the noise levels meet the Council's standards and that the mitigation measures are implemented.
- 6.63 Policy DP28 notes that the Council will seek to minimise the impact on local amenity from the demolition and construction phases of development. Given the extent of the proposed works and the nature of the application site, the Council will secure the submission of a Construction Management Plan (CMP) through a legal agreement.

Transport considerations

- 6.64 Policy DP18 expects new development to provide the minimum necessary car parking provision. The Council generally expects development to be car-free in the Central London Area and other areas within controlled parking zones (CPZ) that are easily accessible by public transport. The application site has a Public Transport Accessibility Level (PTAL) of 6b (the highest rating), and is within King's Cross CPZ (CA-D). On this basis, the legal agreement will secure car-free housing.
- 6.65 The London Plan 2016 requires 1 cycle space per studio or 1-bed flat and 2 spaces for all other dwellings, which equates to a requirement of 13 cycle spaces in this case.
- 6.66 Revised plans have been received during the course of the application to provide a dedicated communal cycle store at ground level within the building and the proposal is considered to be acceptable. A planning condition can ensure that the cycle storage is provided prior to occupation of the new residential units.
- 6.67 Policy DP20 seeks to minimise the impact of the movement of goods and materials by road. Due to the scale of the proposed development 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.

As noted above, a CMP will be secured by the legal agreement. A financial contribution towards highways works required as a result of development will also be secured by the legal agreement.

Energy and sustainability and water

- 6.68 Policy CS13 notes that the Council will require all development to take measures to minimise the effects of, and adapt to, climate change and the policy encourages all development to meet the highest feasible environmental standards that are financially viable during construction and occupation. Policy DP22 requires development to incorporate sustainable design and construction measures and it requires the incorporation of green or brown roofs, wherever suitable.
- 6.69 Paragraph 22.4 of the LDF Development Policies notes that the possibility of sensitively altering or retro-fitting buildings should always be strongly considered before demolition is proposed; however, in this case, it is recognised that the existing building is in a poor state of disrepair and is not suitable for retention and re-use. As such, the demolition is considered to be acceptable.
- 6.70 The applicant has submitted an Energy & Sustainability Statement. The statement outlines the development's approach to sustainability, energy efficiency and renewable energy strategies. It notes that the proposed dwellings would perform better than the minimum requirements of Building Regulations. The report also notes that the new buildings would be constructed with sustainable building materials. A planning condition can require the applicant to implement the measures outlined in the Energy & Sustainability Statement.
- 6.71 The proposed development incorporates a sedum roof, which will improve the ecological value of the site. A planning condition can require the submission and approval of details of the green roof prior to the first occupation of the building.
- 6.72 Policy DP23 requires developments to reduce their water consumption, pressure on the combined sewer network and the risk of flooding. The Energy & Sustainability Statement notes that water usage will be minimised through measures such as dual flush cisterns, flow restrictors to taps, low flow showers and water meters. A suitable planning condition can ensure that the development will be capable of achieving a maximum internal water use of 105 litres a day (plus an additional 5 litres for external water use).
- 6.73 The Energy & Sustainability Statement also notes that the development will incorporate Sustainable Urban Drainage Techniques (SUDS) and a planning condition can require the submission and approval of details of the proposed SUDS prior to the commencement of development.
- 6.74 Overall, subject to the suggested conditions, the proposal is considered to be acceptable in this respect.

Basement considerations

- 6.75 Policy DP27 notes that the Council will only permit basements and other underground development where the applicant can demonstrate it will not cause harm to the built and natural environment and local amenity and does not result in flooding or ground instability.
- 6.76 The Council's preferred approach is for basement development to not extend beyond the footprint of the original building and be no deeper than one full storey below ground level (approximately 3 metres in depth). The internal environment should be fit for the intended purpose, and there should be no impact on any trees on or adjoining the site, or to the water environment or land stability.
- 6.77 This application involves the demolition of the existing two storey building on the site and its replacement with a three-storey building above a single storey basement. The new basement would be no deeper than one full storey below ground level and the new rooms within the basement would be 2.6 metres tall. Flats 1 and 2 would be maisonettes, located across the basement and ground floor levels. At basement level, each flat would have 2 bedrooms (with windows into the sunken lightwell / void at the rear), 2 bathrooms (1 would be en-suite), a study and a kitchen (with a clerestory above with a ground level window). It is considered that the internal environment in the lower ground floor (basement) would be fit for the intended purpose.
- 6.78 The following underground development constraints apply at the application site: slope stability; subterranean (groundwater) flow. The application is accompanied by a Basement Impact Assessment (BIA), which has been independently audited by Campbell Reith, in line with the requirements of CPG4.
- 6.79 The BIA screening exercise identified potential issues that were carried forward to scoping. Subsequent to the issue of the initial audit, additional information was provided by the applicant. However, Campbell Reith note that there are a number of outstanding issues and they recommend that these be addressed in a Basement Construction Plan (BCP), which can be secured by the legal agreement.
- 6.80 Subject to the securing of a BCP, it is considered that the proposal accords with the requirements of Policy DP27 and CPG4 and the application is considered to be acceptable in this respect.

Planning obligations and CIL

- 6.81 Policy DP31 requires a contribution to the supply of open space for all developments that are likely to lead to an increased use of public open space; and paragraph 31.6 of the LDF Development Policies clarifies that schemes involving 5 or more additional dwellings are expected to make a contribution. Paragraph 31.9 acknowledges that many development sites will be too small to provide open space on-site and where this is the case, developments should provide an appropriate financial contribution towards improving existing open space.

- 6.82 This development, which is providing 1x 1-bed and 6x 2-bed units, would be liable for a contribution of £8,641, which can be secured by the legal agreement. The breakdown of the costs is shown in the table below:

Capital Cost	£385 x1 and £663 x6	£4363
Maintenance	£386 x1 and £561 x6	£3752
Design and admin	£46 x1 and £80 x6	£526
Total		£8641

- 6.83 The proposal will be liable for the Mayor of London and Camden Community Infrastructure Levy (CIL) as the floor space exceeds 100sqm. The Mayoral CIL rate in Camden is £50/sqm and the Camden CIL rate for residential development (below 10 dwellings) in Zone A is £500/sqm. Based on the information provided (net additional gross internal floor space of 205sqm), the CIL is likely to be £10250 (£50 x 205) and £102500 (£500 x 205). This will be collected by Camden after the scheme is implemented and could be subject to surcharges for failure to assume liability, submit a commencement notice and late payment, and subject to indexation in line with the construction costs index.

7. CONCLUSION

- 7.1 The proposal to demolish the existing building on site and replace it with a three storey (plus basement) building to provide 7x self-contained flats is considered to be acceptable in principle. The impact on the character and appearance of the wider area is considered to be acceptable and it is considered that the proposal would preserve and enhance the character and appearance of the Bloomsbury Conservation Area and the proposal would not harm the setting of the adjacent Grade II listed building, No. 55 Gray's Inn Road. The new building would not cause undue harm to the visual and residential amenities of nearby and neighbouring properties and the new dwellings would all provide a good standard of residential accommodation for future occupiers. The transport impacts of the development are judged to be acceptable, subject to the legal agreement securing car-free development and a construction management plan. The development would incorporate sustainable design and construction measures and, subject to the completion of a Basement Construction Plan, the impacts associated with the proposed basement are also considered to be acceptable.
- 7.2 Planning Permission is recommended subject to a S106 Legal Agreement covering the following Heads of Terms:-
- Car-free housing;
 - Construction Management Plan;
 - Basement Construction Plan;
 - Open space contribution (£8,641)
 - Highways works contribution (to be confirmed)

8. LEGAL COMMENTS

- 8.1 Members are referred to the note from the Legal Division at the start of the Agenda.

Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan at 1:1250; P_01 Rev. H; P_02 Rev. E; P_03 Rev. D; P_04 Rev. C; P_05 Rev. C; D_06 Rev. B; D_07 Rev. B; D_08 Rev. B; D_09 Rev. B; D_10 Rev. A; D_11 Rev. B; D_12 Rev. B; P_13 Rev. G; P_06 Rev. H; P_07 Rev. D; P_08 Rev. C; P_09 Rev. G; P_10 Rev. E; P_11 Rev. D; P_12 Rev. E; L15/284/12-500 Rev P1; L15/284/12-501 Rev P5; Planning Statement by Montagu Evans (dated February 2016); Design & Access Statement Rev. E; Daylight and Sunlight Report by GVA (dated March 2016); An Historic Desk-Based Assessment by Pre-Construct Archaeology (dated February 2016); Planning Compliance Review by KP Acoustics (dated 16/02/2016); Condition Report by TCL Chartered Surveyors); Energy & Sustainability Statement by Cundall (dated 17/02/2016); Employment Land Supporting Statement (dated February 2016); Market analysis letter from Farebrother (dated 29/02/2016); Heritage Statement by AHP (dated June 2016); Basement Impact Assessment Rev B; BIA Groundwater supplement (dated April 2016); Basement and Ground Floor Slab Design Structural Calculations (dated April 2016).

Reason: For the avoidance of doubt and in the interest of proper planning.

- 3 Detailed drawings, or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the local planning authority before the relevant part of the work is begun:

- a) Manufacturer's specification details of all facing materials (including the glazed balustrades) (to be submitted to the Local Planning Authority) and samples of those materials (to be provided on site).
- b) Manufacturer's specification details of bricks for the rear wall (to be submitted to the Local Planning Authority) and samples (to be provided on site).
- c) Manufacturer's specification details of facing materials for the roof top plant enclosure (to be submitted to the Local Planning Authority) and samples of those materials (to be provided on site).

The relevant part of the works shall be carried out in accordance with the details thus approved and all approved samples shall be retained on site during the course of the works.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policies DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 4 Full details in respect of the green roof in the area indicated on the approved roof plan shall be submitted to and approved by the local planning authority before the relevant part of the development commences. The buildings shall not be occupied until the approved details have been implemented and these works shall be permanently retained and maintained thereafter.

Reason: In order to ensure the development undertakes reasonable measures to take account of biodiversity and the water environment in accordance with policies CS13, CS15 and CS16 of the London Borough of Camden Local Development Framework Core Strategy and policies DP22, DP23 and DP32 of the London Borough of Camden Local Development Framework Development Policies.

- 5 Prior to use of the development, details shall be submitted to and approved in writing by the Council, of the external noise level emitted from plant/ machinery/ equipment and mitigation measures as specified in report ref: 13378.PCR.01 dated 16/02/2016. The measures shall ensure that the external noise level emitted from plant, machinery/ equipment will be lower than the lowest existing background noise level by at least 10dBA as assessed according to BS4142:2014 at the nearest and/or most affected noise sensitive premises, with all machinery operating together at maximum capacity. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

Reason: To ensure that the amenity of occupiers of the development site is not adversely affected by noise in accordance with policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policy DP28 of the London Borough of Camden Local Development Framework Development Policies.

- 6 The rear-facing windows on the upper 2 floors of the building shall be obscurely glazed and non-openable below a height of 1.7m. The windows shall not thereafter be altered in any way without the prior written approval of the Local Planning Authority.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policy DP26 of the London Borough of Camden Local Development Framework Development Policies.

- 7 Prior to the first use of the roof terraces hereby approved, details of privacy screens to prevent unacceptable overlooking into neighbouring properties, shall be submitted to and agreed in writing with the Local Planning Authority and the development shall then accord with the approved details. The screens shall be retained in perpetuity.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policy DP26 of the London Borough of Camden Local Development Framework Development

Policies.

- 8 All non-Road mobile Machinery (any mobile machine, item of transportable industrial equipment, or vehicle - with or without bodywork) of net power between 37kW and 560kW used on the site for the entirety of the [demolition and/construction] phase of the development hereby approved shall be required to meet Stage IIIB of EU Directive 97/68/EC. The site shall be registered on the NRMM register for the [demolition and/construction] phase of the development.

Reason: To safeguard the amenities of the adjoining occupiers, the area generally and contribution of developments to the air quality of the borough in accordance with the requirements of policies CS5 (Managing the impact of growth and development) and CS16 (Improving Camden's health and wellbeing) of the London Borough of Camden Local Development Framework Core Strategy and policies DP32 (Air quality and Camden's Clear Zone) and DP22 (Promoting sustainable design and construction) of the London Borough of Camden Local Development Framework Development Policies.

- 9 The development hereby approved shall achieve a maximum internal water use of 110litres/person/day. The dwelling/s shall not be occupied until the Building Regulation optional requirement has been complied with.

Reason: To ensure the development contributes to minimising the need for further water infrastructure in an area of water stress in accordance with policy CS13 of the London Borough of Camden Local Development Framework Core Strategy and policy DP22 of the London Borough of Camden Local Development Framework Development Policies.

- 10 Prior to commencement of development details of a sustainable urban drainage system shall be submitted to and approved in writing by the local planning authority. The system shall be implemented as part of the development and thereafter retained and maintained.

Reason: To reduce the rate of surface water run-off from the buildings and limit the impact on the storm-water drainage system in accordance with policies CS13 and CS16 of the London Borough of Camden Local Development Framework Core Strategy and policies DP22, DP23 and DP32 of the London Borough of Camden Local Development Framework Development Policies.

- 11 Prior to occupation of any relevant part of the development, the applicant will have constructed and implemented all the measures contained in the Energy & Sustainability Statement (Cundall, dated 17/02/2016) and such measures shall be permanently retained and maintained thereafter. The measures shall include the installation of a meter to monitor the energy output from the approved renewable energy systems.

Reason: In order to secure the appropriate energy and resource efficiency measures and on-site renewable energy generation in accordance with policies CS13 and CS16 of the London Borough of Camden Local Development

Framework Core Strategy and policies DP22, DP23 and DP32 of the London Borough of Camden Local Development Framework Development Policies.

- 12 The roof of the building shall not be used by occupiers of the residential units as outdoor amenity space.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policy DP26 of the London Borough of Camden Local Development Framework Development Policies.

- 13 Flat 3, as indicated on the approved plans hereby approved shall be designed and constructed in accordance with Building Regulations Part M4 (2) and evidence demonstrating compliance should be submitted to and approved by the Local Planning Authority prior to occupation.

Reason: To ensure that the internal layout of the building provides flexibility for the accessibility of future occupiers and their changing needs over time, in accordance with the requirements of policy CS6 of the London Borough of Camden Local Development Framework Core Strategy and policy DP6 of the London Borough of Camden Local Development Framework Development Policies.

- 14 The approved cycle storage facility shall be provided in its entirety prior to the first occupation of any of the new units, and permanently retained thereafter.

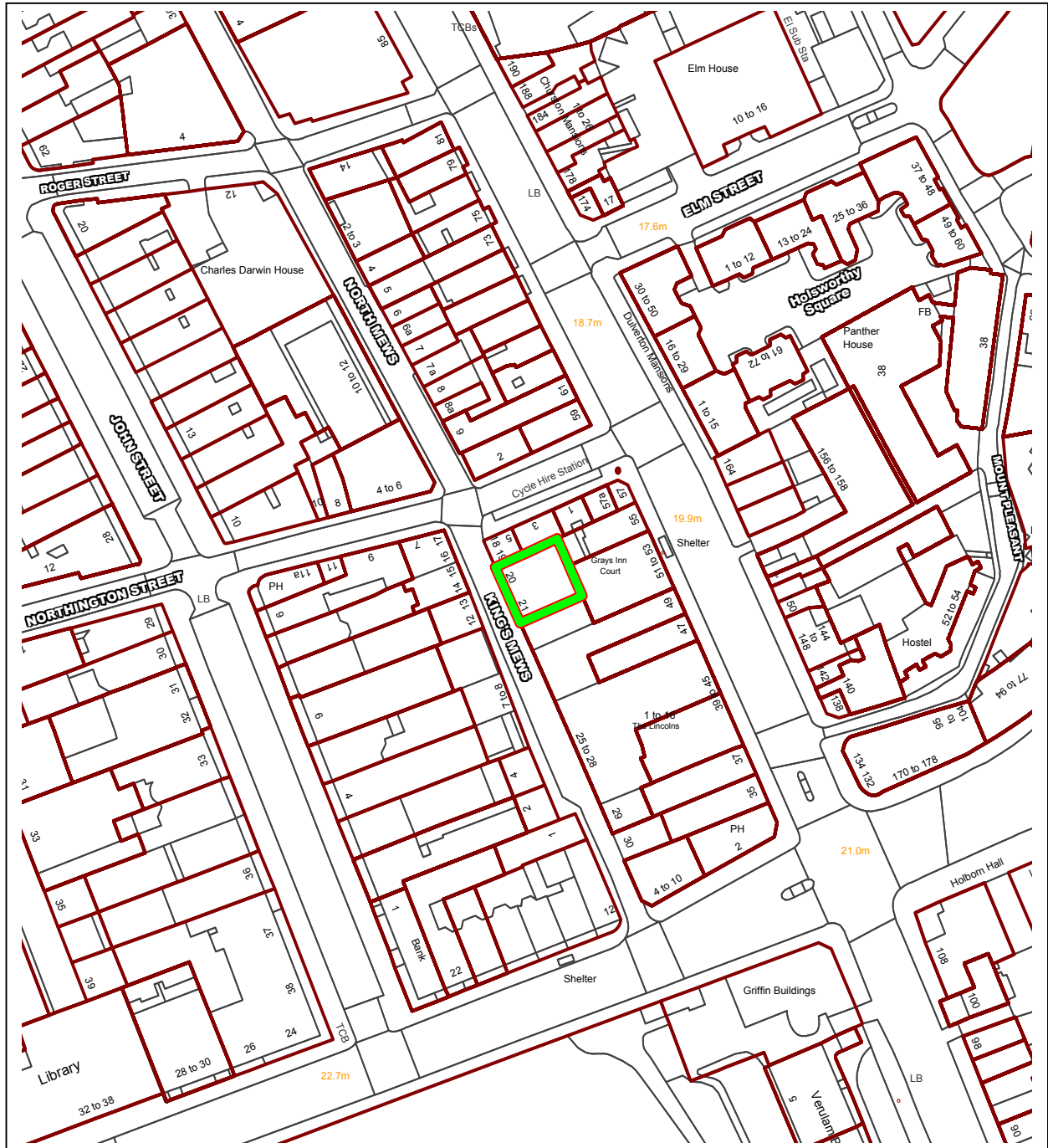
Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of policy CS11 of the London Borough of Camden Local Development Framework Core Strategy and policy DP17 of the London Borough of Camden Local Development Framework Development Policies.

- 15 Details of the ventilation for the communal bin store shall be submitted to and approved in writing by the local planning authority before the relevant part of the work is begun. The bin store should have appropriate passive ventilators to allow air flow and prevent unpleasant odours. The ventilation must be fly and vermin proofed and near to either the roof or floor, but away from the windows of dwellings.

Reason: To ensure that the amenity of occupiers of the development site is not adversely affected by odour, in accordance with policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policy DP26 of the London Borough of Camden Local Development Framework Development Policies.

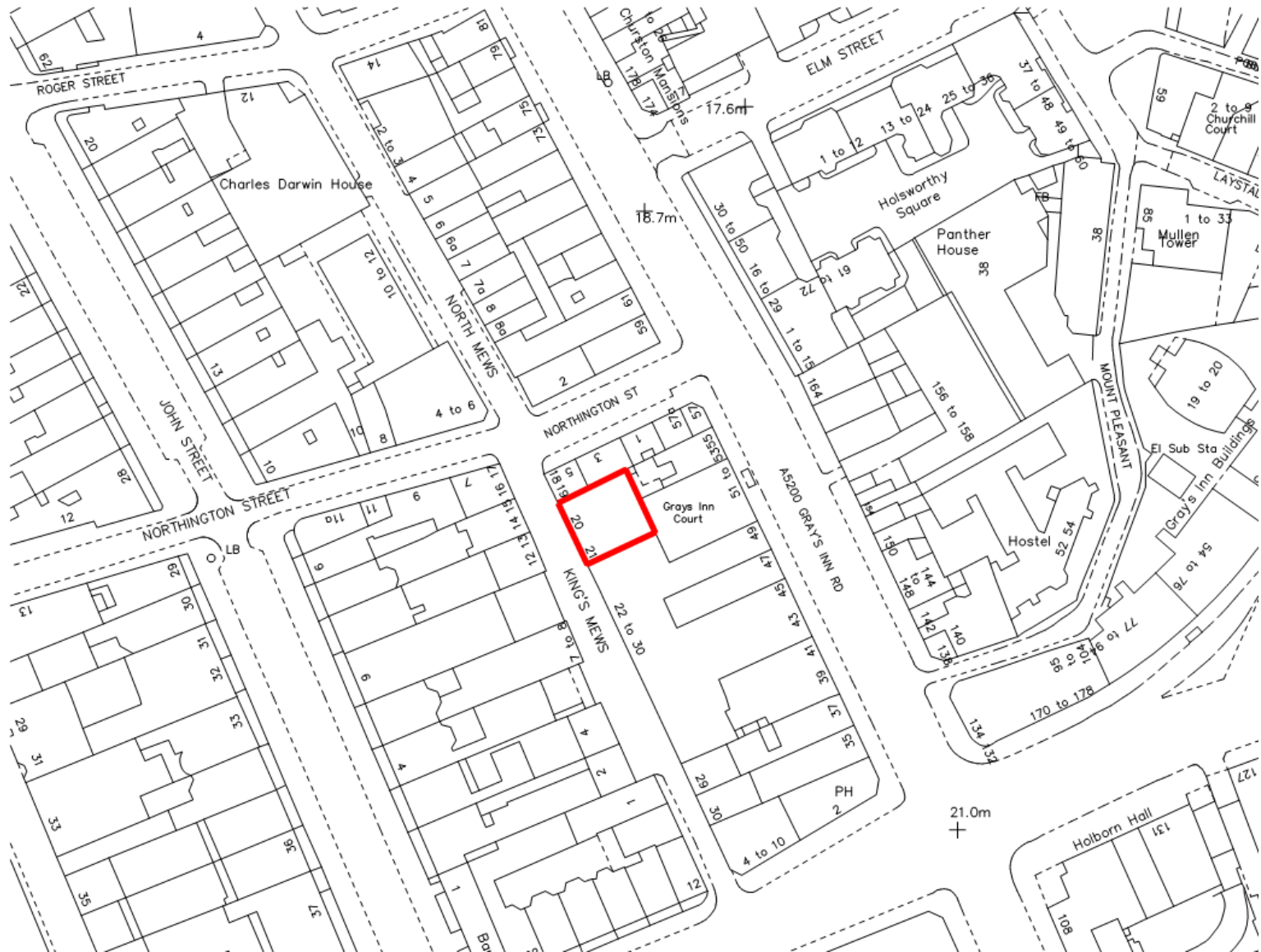
Informative(s):

- 1 Your attention is drawn to the fact that there is a separate legal agreement with the Council which relates to the development for which this permission is granted. Information/drawings relating to the discharge of matters covered by the Heads of Terms of the legal agreement should be marked for the attention of the Planning Obligations Officer, Sites Team, Camden Town Hall, Argyle Street, WC1H 8EQ.
- 2 The Mayor of London introduced a Community Infrastructure Levy (CIL) to help pay for Crossrail on 1st April 2012. Any permission granted after this time which adds more than 100sqm of new floorspace or a new dwelling will need to pay this CIL. It will be collected by Camden on behalf of the Mayor of London. Camden will be sending out liability notices setting out how much CIL will need to be paid if an affected planning application is implemented and who will be liable.
- 3 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts which cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Argyle Street WC1H 8EQ, (tel: 020-7974 6941).
- 4 Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Council's Compliance and Enforcement team [Regulatory Services], Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 4444 or on the website <http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-the-environmental-health-team.en> or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.
- 5 If a revision to the postal address becomes necessary as a result of this development, application under Part 2 of the London Building Acts (Amendment) Act 1939 should be made to the Camden Contact Centre on Tel: 020 7974 4444 or Environment Department (Street Naming & Numbering) Camden Town Hall, Argyle Street, WC1H 8EQ.



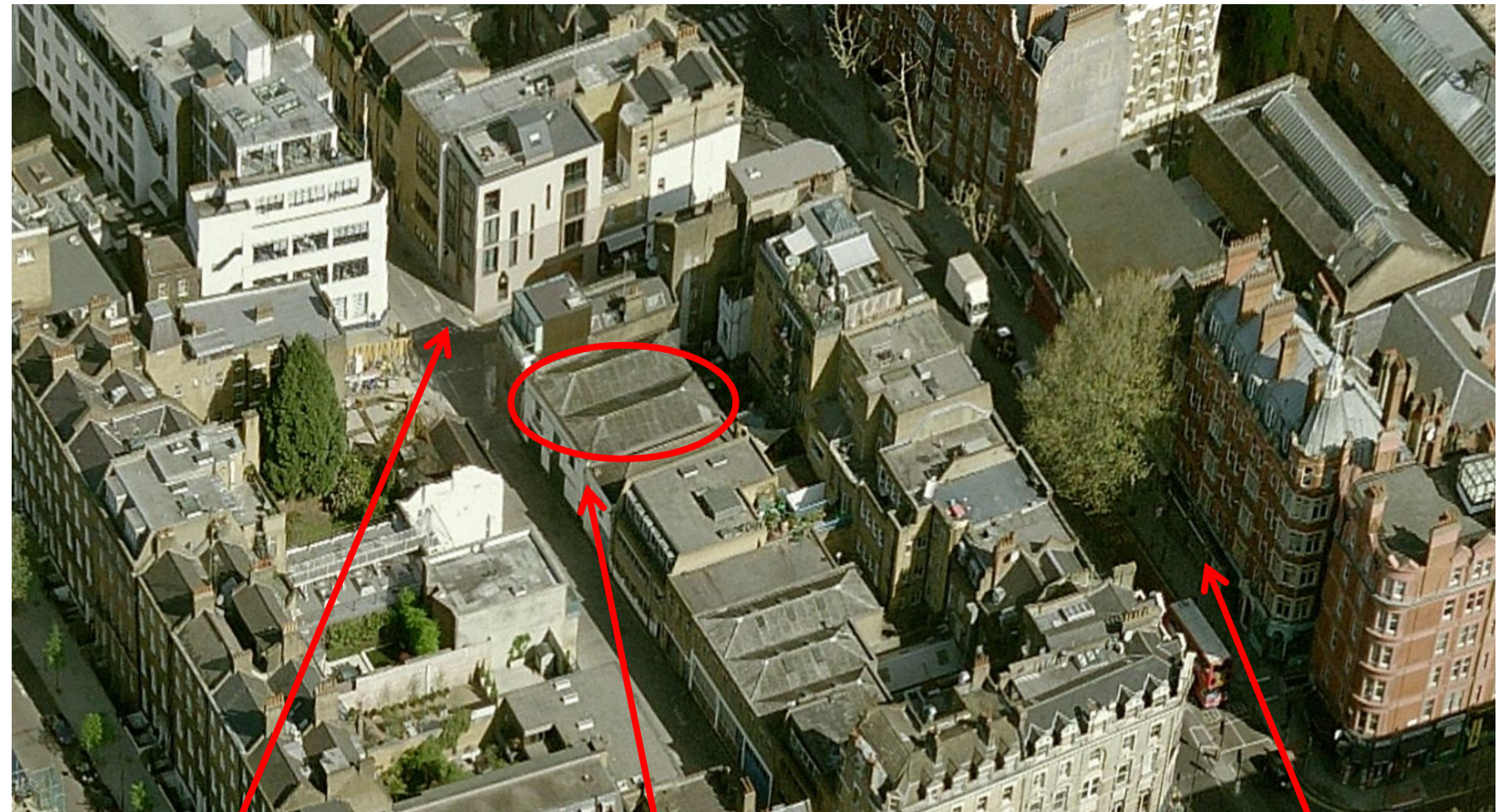
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20-21 King's Mews, London, WC1N 2JB



Site Location Plan

Aerial view of application site



Northington Street

Nos. 20-21
King's Mews

Gray's Inn Road

View looking south down King's Mews



20-21 King's Mews

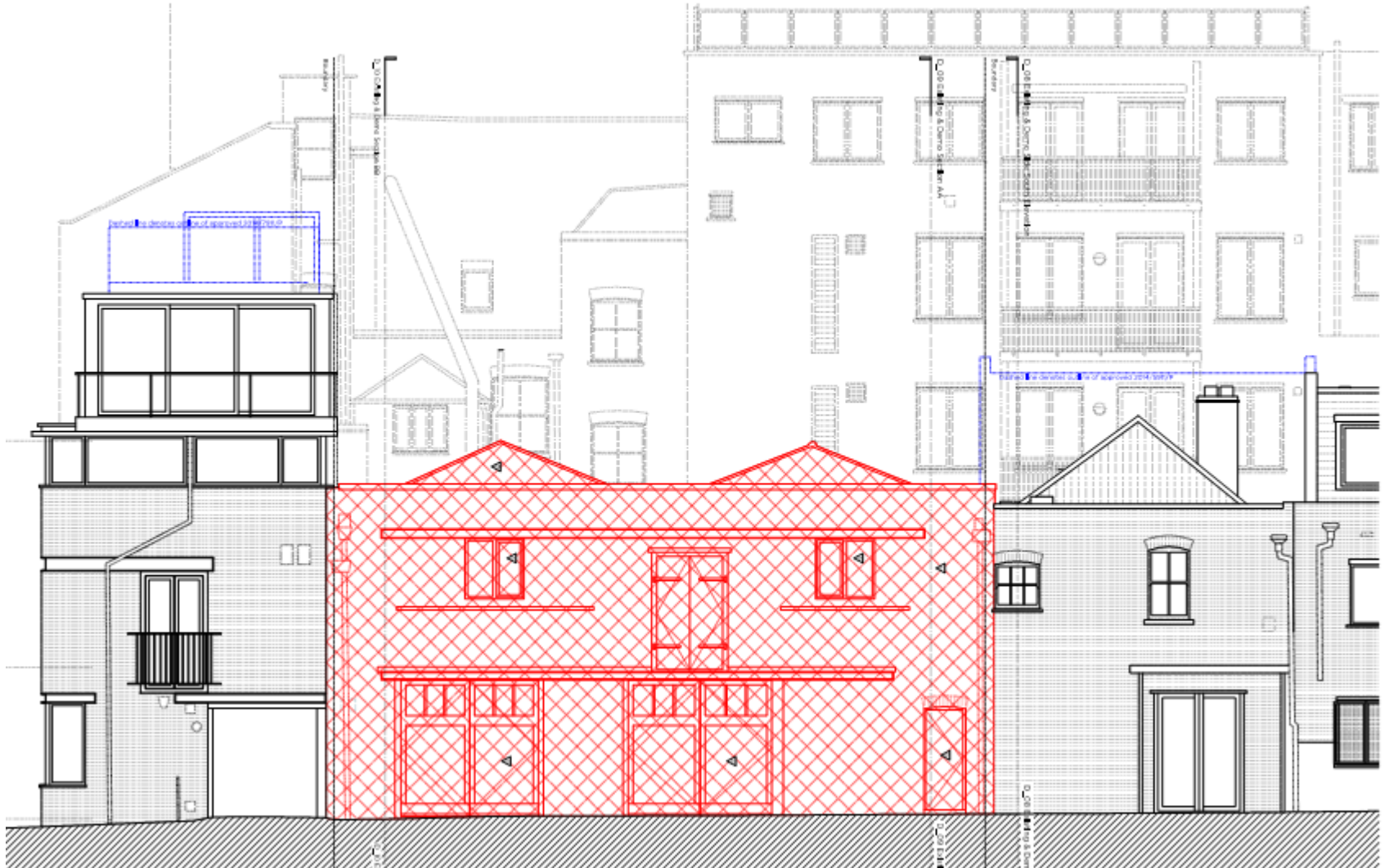
View looking north up King's Mews



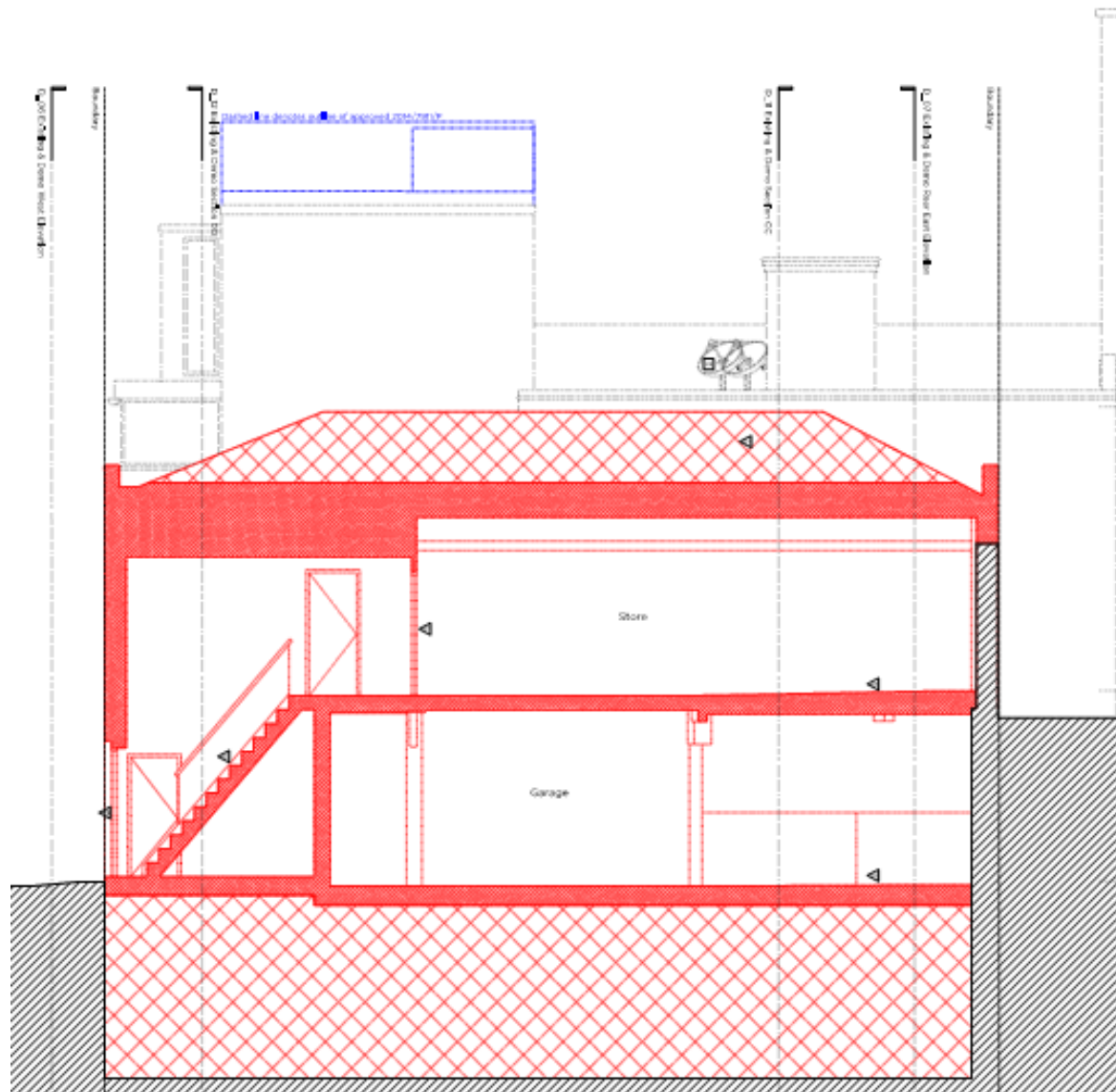
20-21 King's Mews

22 King's Mews

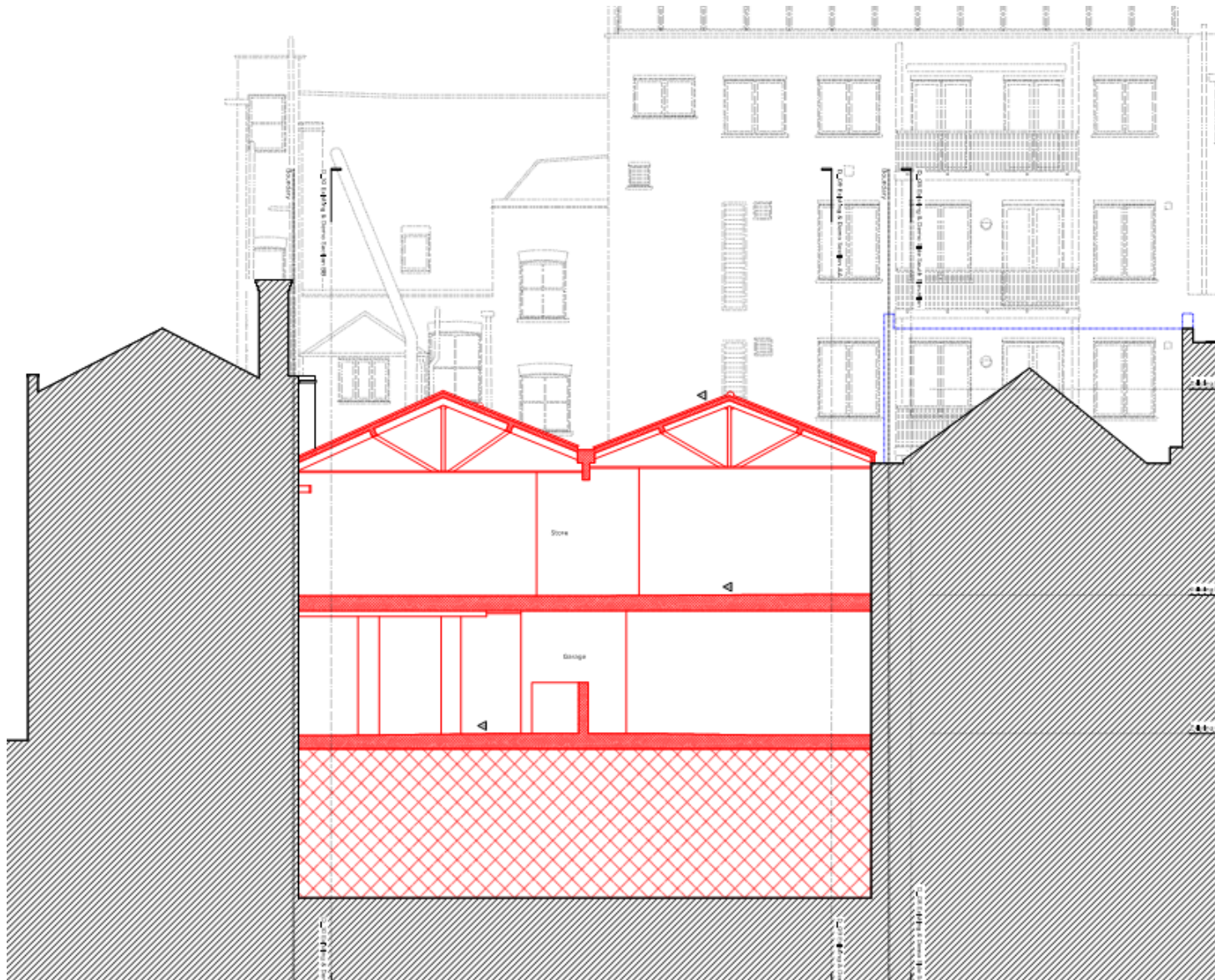
Existing front elevation



Existing section (front to back)



Existing section (side to side)



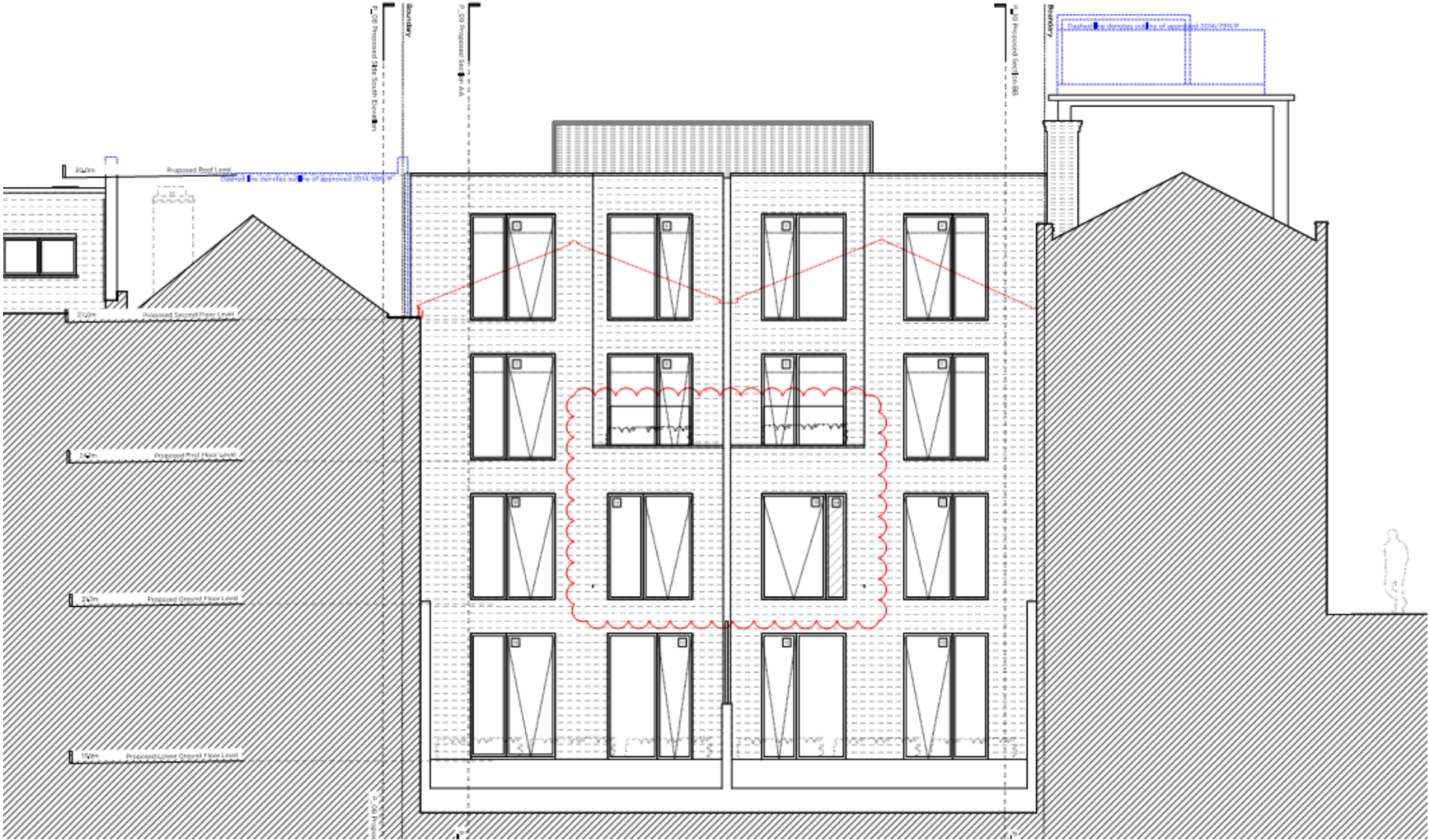
Proposed front elevation (artist's impression)



Proposed front elevation

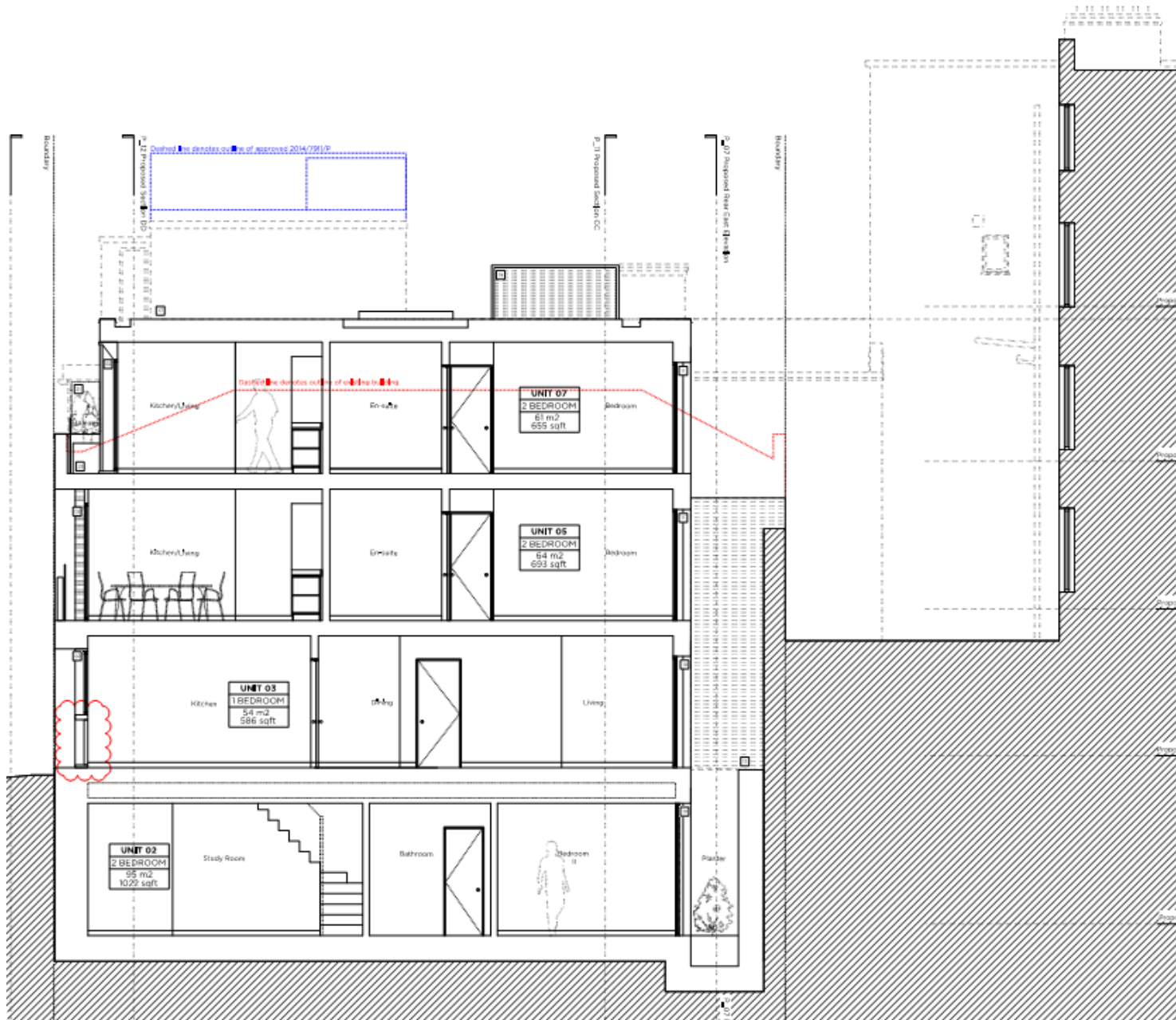


Proposed rear elevation

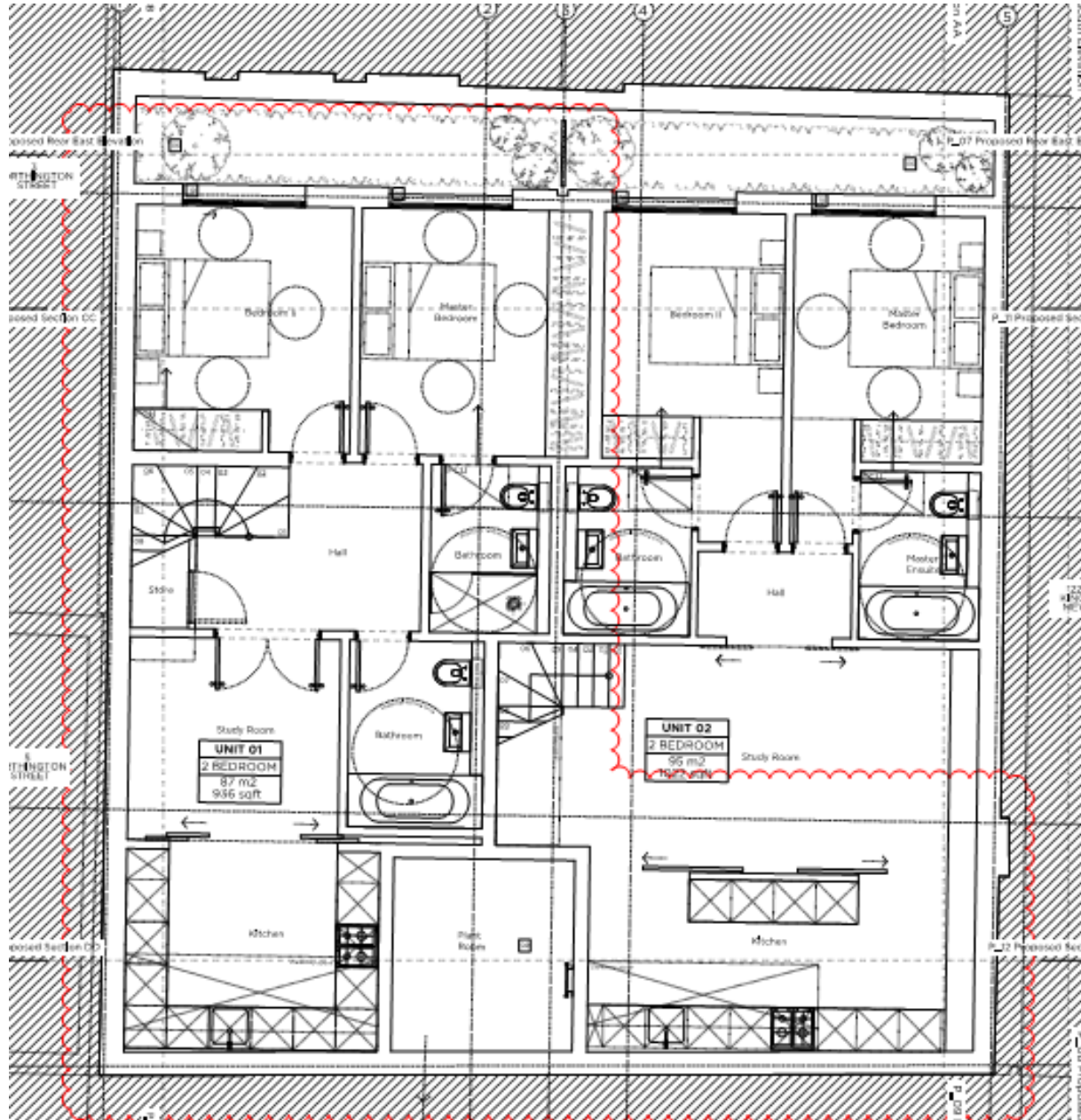


Proposed section drawing (front to back)

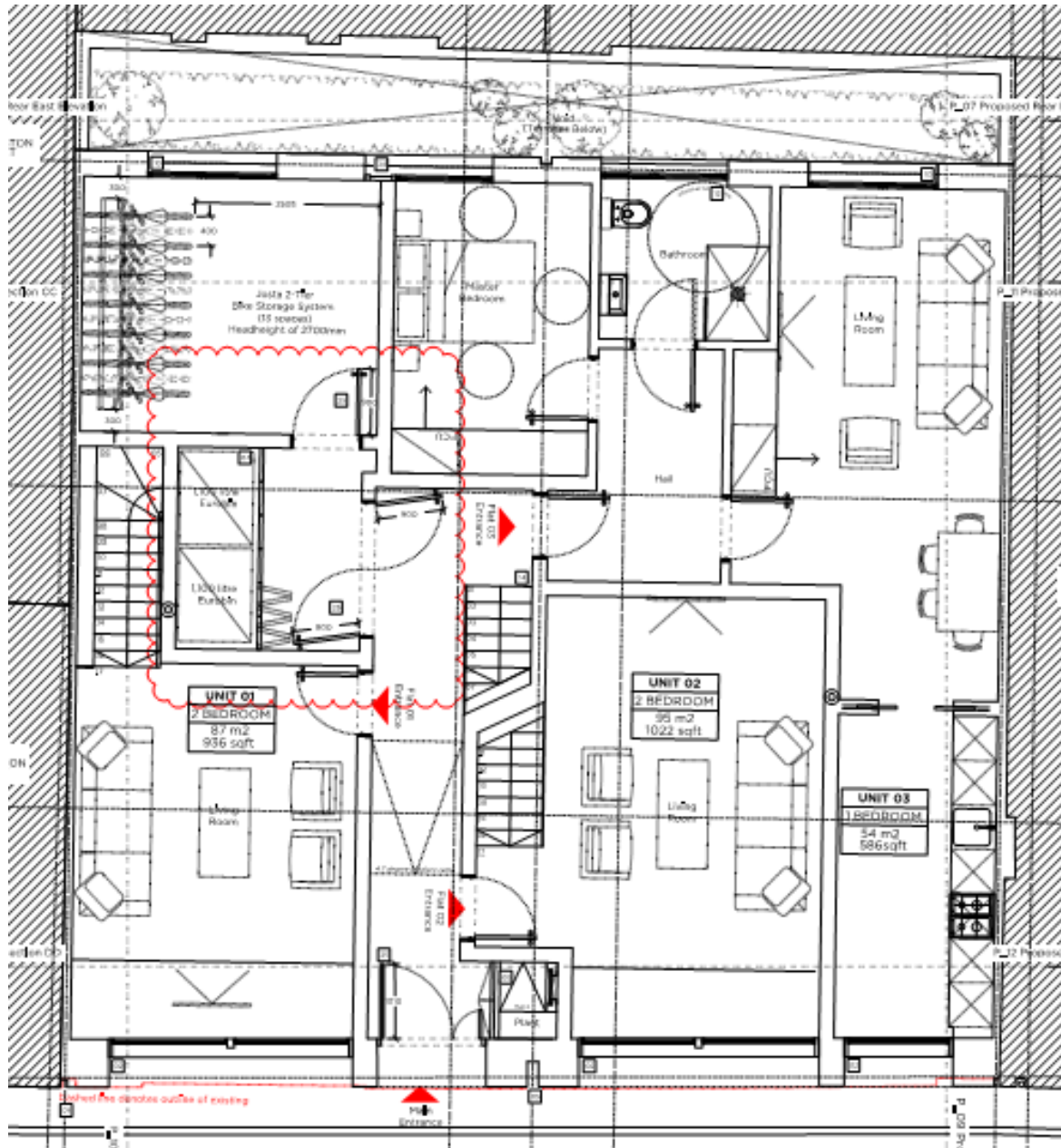
Kings
Mews



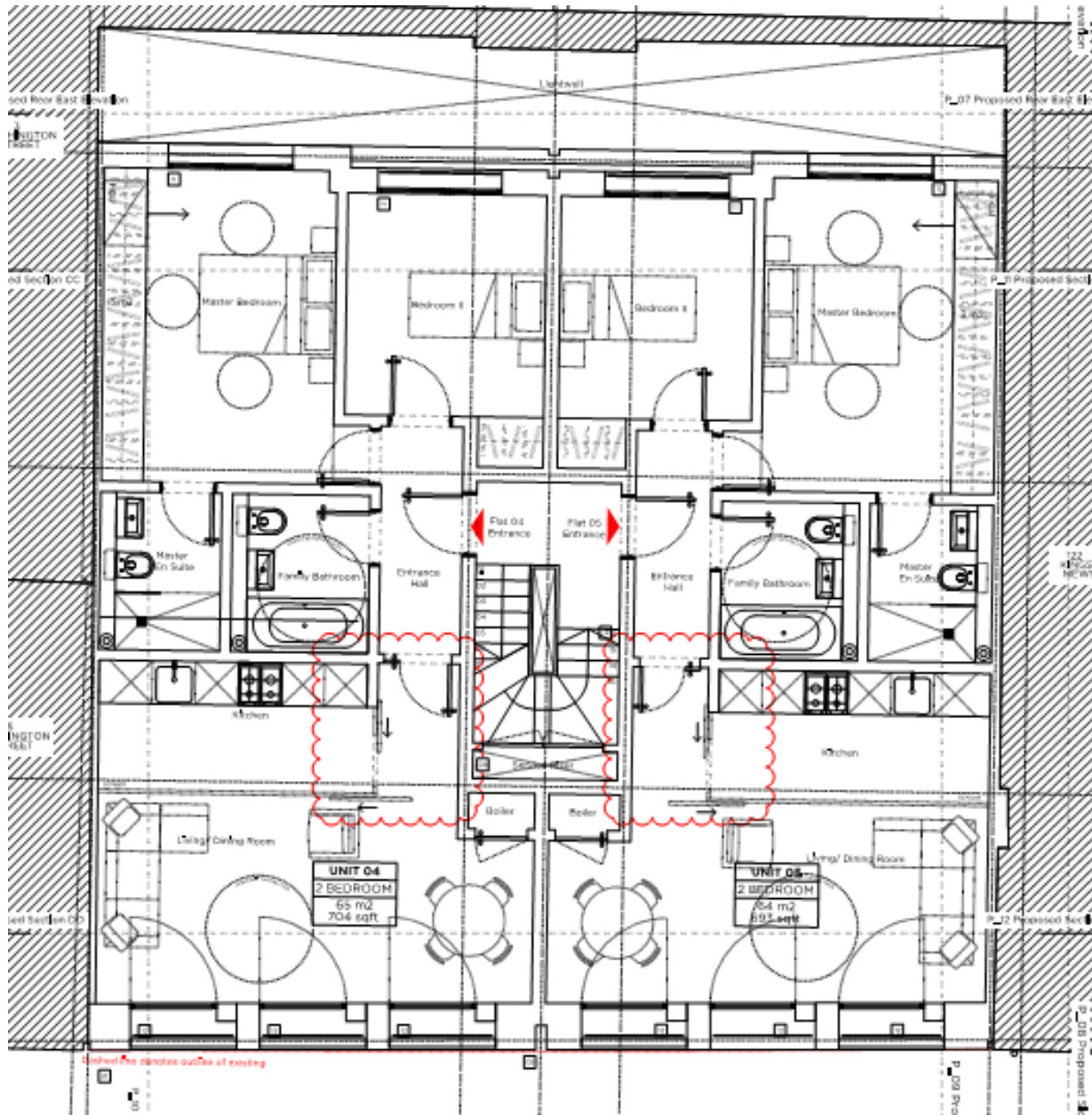
Proposed floor plans - basement



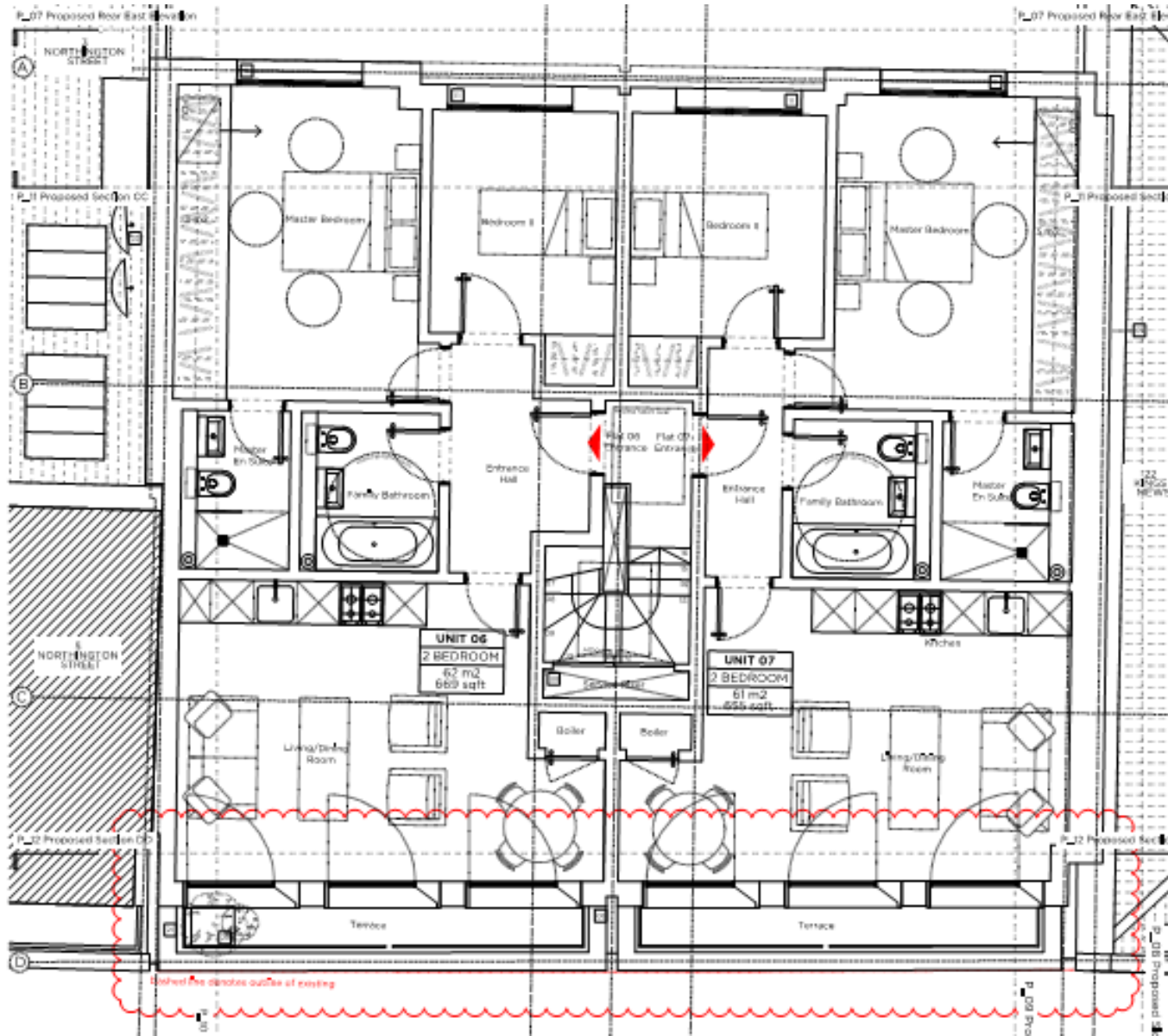
Proposed floor plans – ground floor



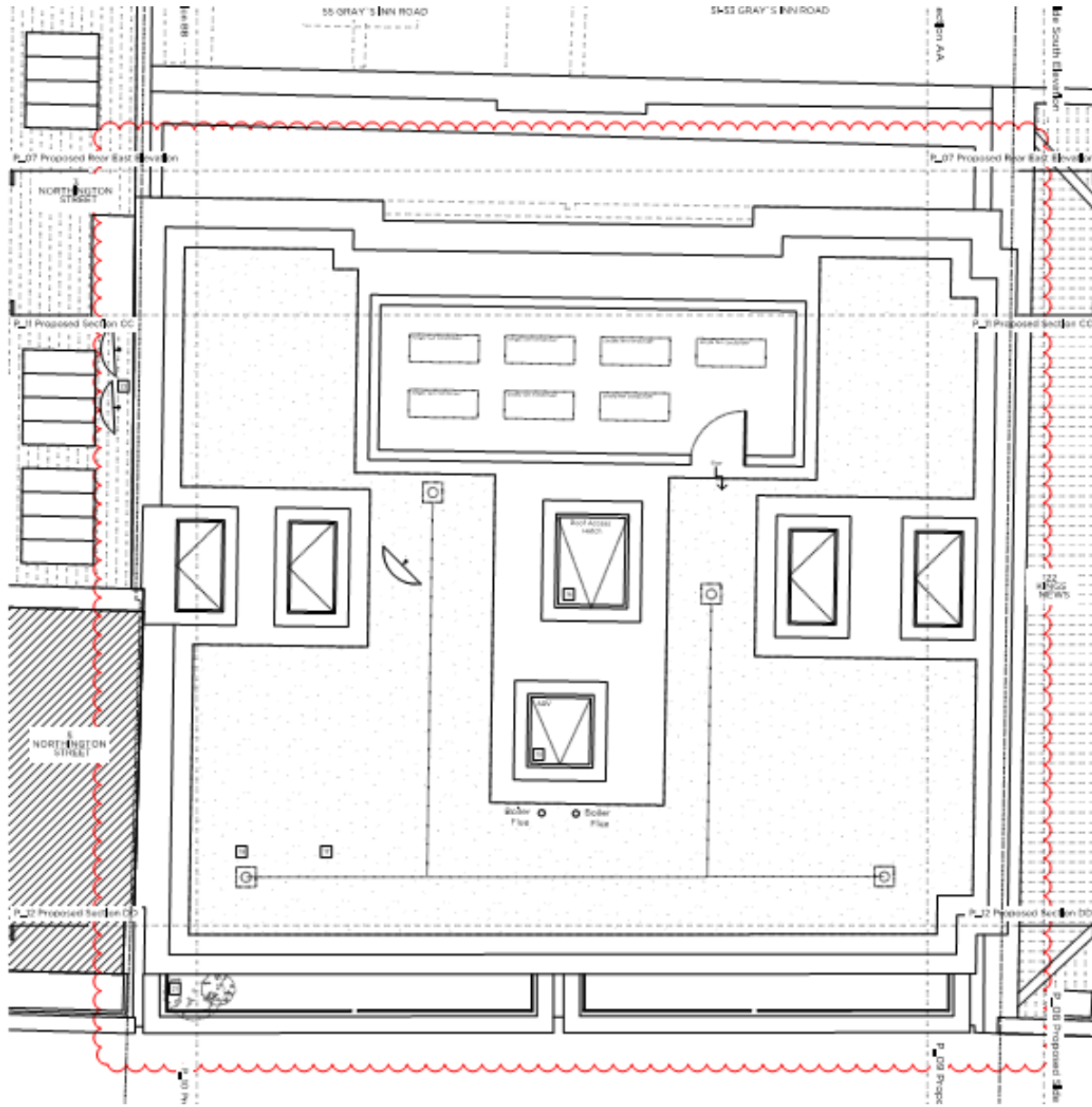
Proposed floor plans – first floor



Proposed floor plans – second floor



Proposed roof plan



Approved works at 22 King's Mews – Front elevation



Approved works at 22 King's Mews – Section drawing

