Address:	13/15 Johns Mews London WC1N 2PA		
Application Number:	2014/3330/P	Officer: Gideon Whittingham	
Ward:	Holborn & Covent Garden		
Date Received:	15/05/2014		•

Proposal: Change of use from garage/workshop/offices (Class B1) to residential use (Class C3) to provide 2 dwellinghouses, including excavation works to create a new basement floor level, creation of 2 new courtyards, mansard roof extensions and elevational alterations to front and rear.

Background Papers, Supporting Documents and Drawing Numbers:

OS Extract (Site location plan): 200_32_100; Demolition drawings: 200_32_23, 200_32_24, 200 32 25, 200 32 26; Existing drawings: 200 32 01, 200 32 02, 200 32 03, 200 32 04; Proposed drawings: 200_32_17 (proposed street view visual), 200_32_18, 200_32_19, 200_32_20, 200_32_21, 200_32_22, 200_32_23, 200_32_24, 200_32_25, 200_32_26; Structural Drawings and Demolition Method Statement (revised on 09.02.2016): L14771/00-T2 General Notes; L14771/01-PL1 GA: Lower Ground Floor & Ground Floor Plans; L14771/02-PL1 GA: First and Second Floor Plans; L14771/03-PL1 GA: Roof Plan; L14771/04-PL1 GA: Sections A and B; L14771/05-PL1 GA: Sections 1-7 and Details; L14771/06-PL1 GA: Sections 8-19e; L14771/701-PL3 Temporary Works: Method Statement and Temporary L14771/702-PL1 Temporary Works: Ground Beam Plan and Stage 1 Propping Plans: Section; L14771/703-PL2 Temporary Works: Stage 2 and Stage 3 Section; Desk Top Study Report - DTS/4507- August 2014 (*aka Desk Top Study Report (BIA) - Re-uploaded March 2016*); Basement Impact Assessment (January 2016) Ref BIA 4507D Rev 5, prepared by Chelmer Site Investigation Laboratories Ltd; Addendum Letter (Ref: BIA/4507f) Report Revised Ground Movement and Damage Category Assessments, dated 6.5.2016; Gas/Groundwater Monitoring Results Sheet (4507F) prepared by Chelmer Site Investigation Laboratories Ltd; Landborne Gas Assessment (CCS/4507D) prepared by Chelmer Site Investigation Laboratories Ltd; Construction and Traffic Management Plan, prepared by FT Architects, dated May 2014; Geo-environmental Interpretative Report (GENV/4507) REV 3 dated June 2016 by Chelmer Consultancy Services; Audit of Basement Impact Assessment for 13/15 John's Mews (Ref: J14349/MC/1) from Geotechnical & Environmental Associates, dated 23rd December 2014: Audit of Basement Impact Assessment for 13/15 John's Mews (Ref: J14349/MC/2) from Geotechnical & Environmental Associates, dated 6th May 2015; Audit of Basement Impact Assessment for 13/15 John's Mews (Ref: J14349/MC/3) from Geotechnical & Environmental Associates, dated 30th November 2015; Audit of Basement Impact Assessment for 13/15 John's Mews (Ref: J14349/MC/4) from Geotechnical & Environmental Associates, dated 9th February 2016; Audit of Basement Impact Assessment for 13/15 John's Mews (Ref: J14349/MC/5) from Geotechnical & Environmental Associates, dated 21st August 2016; Code For Sustainable Homes - Nov 2010 - Preliminary Assessment, prepared by ABBA Energy, dated 30 April 2014; Supporting Marketing Information, prepared by FT Architects; Design, Access & Planning Statements prepared by FT Architects, dated May 2014.

RECOMMENDATION SUMMARY: Grant condi	tional planning permission subject to a section
106 legal agreement	
Applicant:	Agent:

Wandsworth Sand and Stone Ltd 4th Floor Fao. Mr Shaun Counihan Tuition House 27-37 St Georges Road Wimbledon SW19 4EU	FT Architects Ltd Hamilton House Mabledon Place London WC1H 9BB
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ANALYSIS INFORMATION

Land Use Details:				
	Use Class	Use Description	Floorspace	
Existing	B1 Busines	SS	210m ²	
Proposed	C3 Dwelling House (x2)		388m²	

Residential Use Details:										
	Residential Type	No. of Bedrooms per Unit								
		1	2	3	4	5	6	7	8	9+
Existing	Flat/Maisonette	0	0	0	0	0	0	0	0	0
Proposed	Flat/Maisonette	0	0	2	0	0	0	0	0	0

Reason for Referral to Committee:

Referred back to the Planning Committee by the Director of Regeneration and Planning under clause 4 of the new Terms of Reference following the earlier consideration of this case by the Development Control Committee on 21st January 2016.

Background

Members may recall this item was not considered due to lack of time at Development Control Committee (DCC) meeting on 14th January 2016.

Subsequently, at the DCC meeting on 25th February 2016, Members commented on the reference by the deputee to a document regarding land contamination which it was suggested had been removed from the Council's website. The Planning Officer advised that he was not aware of such a document having been removed and added that the removal of contaminated and hazardous materials from sites was predominantly an Environmental Health matter. A condition requiring a site investigation and mitigation of contaminated land would normally be recommended where there were concerns about potential contamination and, whilst such a condition had not been included in this case, it could be added if Members had concerns. Members remained concerned about the fact that there was no reference to this issue in the report and indicated that they wished to have further information on this issue before coming to a decision on the application. Further information was also requested about when the groundwater levels were taken and whether the increase in floorspace would trigger the Community Infrastructure Levy.

In acknowledging this, the Council has published further documents submitted by the applicant relating to the impact of the basement and potential land contamination/mitigation, which in turn has been reviewed by the relevant officers. The application has also undergone a re-consultation process with neighbours, the details of which are detailed in the report below, prior to returning back to committee.

In considering the following report, Committee must have due regard to all relevant considerations in relation to the planning application.

1. **SITE**

- 1.1 The application relates to two adjoining buildings (Nos.13 and 15 John's Mews). Both are two storey traditional style mews buildings with a rendered front facade, located on the west side of the mews. Most of the mews buildings however have been subsequently rebuilt or feature modern flat mansard roof extensions and are almost all now in residential use.
- 1.2 St. George the Martyr Primary School is on the west side of Johns Mews with a four storey modern red brick schoolhouse.
- 1.3 Situated directly behind the site are the Grade II listed Georgian terrace houses at 22-28 John Street which date from circa 1800-19. Historically mews buildings were often located at the foot of the gardens of this type of property and whilst historic maps do not reveal whether the mews houses are original to the terraced houses, they are certainly of a similar age.

1.4 According to the Bloomsbury Conservation Area Appraisal and Management Strategy on page 143 both buildings make a positive contribution to the area including 11-23 (odd) although there is some conflict with the townscape maps which do not list them as making a positive contribution. Further examination of their facades reveals that they have been altered in the past with replacement windows and doors and a rendered façade, however their general modest appearance and relationship with neighbouring buildings mean they do contribute to the area, although in a limited way.

2. THE PROPOSAL

2.1 Change of use from garage/workshop/offices (Class B1) to residential use (Class C3) to provide 2 dwellinghouses, including excavation works to create a new basement floor level, creation of 2 new rear courtyards, mansard roof extensions and elevational alterations to front and rear.

Revisions

- 2.2 During the course of the application, the scheme was amended upon officer advice and in mind of the comments following public consultation, to incorporate the following:
 - Plans accurately depicting the extent of demolition proposed.
 - The 'Structural Drawings and Demolition Method Statement' was amended to accord with the planning drawings. A number of inaccuracies were identified and corrected:
 - The rooflights shown on the rear single storey extension shown to be flush and not projecting above the roof line
 - The extent of demolition as described matches that on the demolition plans
 - The Basement Impact Assessment (BIA) was amended and addendum provided as follows:
 - Include impact assessment with another basement scheme at 27 John Street and 21 Johns Mews.
 - Remove impact assessment of scheme at 27 John Street and 21 Johns Mews which no longer proposes basement.
 - o Include summer stand pipe readings
 - o Details of groundwater levels recently taken
 - Confirmation of ground movements and damage category impact
 - Update reference to accord with revised plan numbers and additional information
 - The originally submitted land contamination report (which was not publically available online prior to DCC on 14th January 2016 and 25th February 2016) has since been revised in June following further investigation works at the site including additional borehole and trial pits as well as further groundwater and ground gas monitoring.

3. **RELEVANT HISTORY**

3.1 **13/15 Johns Mews:**

2013/4967/P: Change of use from garage/workshop/offices (Class B1) to residential use (Class C3) to provide 2 dwellinghouses, including mansard roof extensions and elevational alterations to front and rear. - Granted Planning Permission subject to Conditions and S106 Legal Agreement on 05/03/2014.

3.2 27 John Street and 21 Johns Mews:

2013/5685/P: Erection of rear extension with associated terrace above and elevational alterations. Granted 14/05/2015

3.3 **11 Johns Mews:**

9100265 (Granted 18/07/1991) - The erection of a mansard roof extension.

4. CONSULTATIONS

Statutory Consultees

4.1 N/A

Ward Councillors

4.2 **Councillor Olad** objects:

"I would like to object to this planning application. I believe that the request to make minor material changes to amount to a full blown office to residential development. We already have a number of offices hiking up rent in order to cash-in by converting into residential. The last time I checked Zoopla, a property in John's Mews would go for circa £4-6m.

As far as the basement excavations are concerned this application should not be considered in isolation under delegated powers, unless it is to reject them. As it stands, the application in respect of 13 -15 John's Mews should be rejected outright as it does not even come close to providing the level of detail, site specific data or consideration of impact on neighbouring properties that are needed for Camden's requirements for basement developments.

Given the number of dizzying applications that have come in on this site alone, they should all be considered either together at the same time or individually as the case may be, by the same committee so that they can be subjected to an informed and coherent scrutiny. Whatever happens, there should not be piecemeal consideration on an application by application basis, given the historical nature of the built environment, the hydrology of the area and the commercial pressure on rapacious builders and developers to achieve ever larger returns on tiny sites in sensitive areas where the motivation is to profit and move on. It would be perverse for individual planning officers to consider these applications in isolation to the wider picture, both now and in the future.

This application, in all its different forms, should be rejected".

Conservation Area Advisory Committee

4.3 The **Bloomsbury CAAC** commented:

Whilst this cannot be considered to be an enhancement as the original scale of the buildings will be lost and dominated by the roof extension – given the adjoining development difficult to refuse.

Adjoining Occupiers

4.4 A site notice was displayed from 28/05/2014 and a public notice was published in the Ham & High from 29/05/2014.

Number of letters sent	12
Number in support	0
Number of objections	5

- 4.5 5 objections have been received from and on behalf of the occupiers of Flats 1, 2 & 3 of 23 John Street, 22 John Street and 24 John Street concerning the following matters:
 - Loss of employment use (see section 7.2)
 - Overlooking as a result of change of use (see section 7.20-7.23)
 - Detailed design of rear elevation (see section 7.12-7.19)
 - Inaccuracy of submitted details (see section 6.9 6.10)
 - Harm to Listed Buildings (see section 7.15-7.19)
 - BIA impact should be considered jointly with that of 27 John Street and 21 Johns Mews (see sections 2.2 and 6.5)
 - Inaccuracy of BIA (see section 6.9- 6.10 & 7.8 7.11)
 - Neighbouring structural stability (see section 6.9 6.10 & 7.8 7.11)
 - Technical proficiency of BIA (see section 6.9)
 - CMP implications of noise and traffic congestion (see section 6.9 & 7.26)
 - Lack of consultation with Conservation Officer (see section 7.18)
 - Damage to buildings as a result of construction works (see section 6.9)
 - Calculation of the Burland Category (see section 6.9 & 7.11)
 - Heave/Settlement Assessment (see section 6.9)
 - Inconsistent drawings (see section 6.9)
 - Concern at date of ground readings (see section 7.10)
- 4.6 Following the **Development Control Committee on 25th February 2016** and the revision/additional/newly uploaded documents (such as the Geo-environmental Interpretative Report (including Gas Monitoring), Addendum Factual Report, Addendum Letter Ground Movement and Damage Category Assessments, marketing study), the application underwent a further re-consultation process (including those occupiers/addresses noted in 4.1 4.5 above).
- 4.7 A complete re-consultation process for a further 21 day period took place on the 26/05/2016. In addition, supporting documents relating to potential contamination were re-labelled for clarity and made publically available online prior to 26/05/2016.

Number of letters sent	12
Number in support	0
Number of objections	3

- 12 letters were sent to adjacent/contiguous properties and previous commentators of the scheme.
- Email notifications were sent directly to relevant Camden Officers including Environmental Health/Contaminated Land; the Bloomsbury CAAC, Councillor Olad, Historic England and the Environment Agency.
- All superseded documents, including the relevant contamination reports have since been re-published and re-labelled.
- 4.8 3 objections have been received following the re-consultation process on behalf of the occupiers of 22, 23 and 24 John Street commenting:

Reiterated concerns:-

- Lack of consultation with Conservation Officer (see section 7.18)
- Damage to buildings as a result of construction works (see section 6.9)
- Calculation of the Burland Category (see section 6.9 & 7.11)
- Heave/Settlement Assessment (see section 6.9)
- Inconsistent drawings (see section 6.9)
- Concern at date of ground readings (see section 7.10)
- BIA impact should be considered jointly with that of 27 John Street and 21 Johns Mews (see sections 2.2 and 6.5)
- Harm to Listed Buildings (see section 7.15-7.19)

Further concerns:-

- Contamination of land by lead and other contaminates (see section 7.31 7.35)
- Accuracy of text in BIA (see section 6.10)
- Further missing contamination documents (see section 2.2)
- Footings of the proposed basement fall within the curtilage of the Listed Building (see section 7.9 & 7.18)
- Lack of a Heritage Statement (see section 7.15)
- Historic England not notified (see section 4.11 and 7.16)
- Environment Agency not notified (see section 4.10 and 7.16)

4.9 **Councillor Olad** objects:

"The previous application is still outstanding. The development control committee previously asked for the contamination issue to be addressed and NOT for the application to go through a second round of consultation. This is an absurd situation and one that leaves me particularly angry and despairing.

Why on earth did the previous contamination report go missing? Why did a number of documents disappear and then reappear again recently on the website with altered dates and times? How can this new round of consultation be justified after the long, protracted, and shambolic first round?

The fundamental problem with this proposed development is the potential harm it is likely to bring to neighbouring properties as well as St George the Martyr Primary School, where I am a governor. Given the number of different chemicals in the soil and the likelihood that any structural change to the building will lead to its collapse it should augur negatively to planning officers, especially given that this property has not been touched since it was built over 130 years and for good reasons it seems. I am particularly concerned that the dangerous, cancerous chemical benzopyrene, a carcinogen, had been found in the soil. I was astounded to find out

that the contamination officer at the council did not feel it was a cause for concern. If this chemical is released into the atmosphere it is likely to put thousands of local people and workers at extreme risk. This application, from the time it was submitted a couple of years ago, has been handled in a shambolic way and could, if approved, become a serious hazard to our locality. This application should be rejected outright and should not be entertained by the development control committee."

- 4.10 The **Environment Agency** responded that they did not need to be consulted on this application and therefore have no comments.
- 4.11 **Historic England** stated this application should be determined in accordance with national and local policy guidance, and on the basis of Camden's specialist conservation advice.

5. POLICIES

5.1 **National and London wide policies and guidance**

Planning (listed building and conservation area) Act 1990 as amended Enterprise and Regulatory Reform Act (ERR) 2013. National Planning Policy Framework 2012 National Planning Policy Guidance 2014 London Plan 2016

5.2 LDF Core Strategy and Development Policies

CS1 (Distribution of growth)

- CS5 (Managing the impact of growth and development)
- CS6 (Providing quality homes)
- CS9 (Achieving a successful Central London)
- CS11 (Promoting sustainable and efficient travel)
- CS13 (Tackling climate change and promoting higher environmental standards)
- CS14 (Promoting high quality places and conserving our heritage)
- DP2 (Making full use of Camden's capacity for housing)
- DP5 (Homes of different sizes)
- DP6 (Lifetime homes and wheelchair homes)
- DP16 (The transport implications of development)
- DP17 (Walking, cycling and public transport)
- DP18 (Parking standards and 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)
- DP28 (Noise and vibration)

5.3 Other Planning Policies / Guidance

Camden Planning Guidance (CPG) 2016 – CPG 2 Camden Planning Guidance (CPG) 2015 – CPG 1, 3, 4, 8 Camden Planning Guidance (CPG) 2013 – CPG 5 Camden Planning Guidance (CPG) 2011 – CPG 6 and 7

5.4 Bloomsbury Conservation Area Statement/Bloomsbury Conservation Area Appraisal & Management Strategy (2011)

Draft local plan

5.5 The draft Local Plan was submitted for Examination in June 2016 and therefore carries little weight. However the proposal does comply with the current draft Local Plan.

6. **APPLICATION BACKGROUND**

- 6.1 Permission was granted on 05/03/2014 (extant) for the following works:
 - The change of use from offices/light industrial/storage (Class B1) accommodation to provide 2 x 2 bedroom dwellings (Class C3).
 - The erection of a slate clad mansard roof extension to each building, comprising 2 dormer windows to both the front and rear pitch, with 1 rooflight and 5 solar panels atop roof.
 - Replacement of garage doors and metal framed windows with timber entrance doors, high level glazing and timber sash windows to front elevation.
 - Replacement of rear metal framed windows with sliding doors and glazed Juliette balcony at rear first floor level and also including refurbishment of roof to single storey rear extension.
- 6.2 This application is essentially seeking additional works to the extant permission (2013/4967/P) namely:
 - Excavation beneath footprint of buildings to provide a basement floor level for 112sqm of additional residential floorspace (Dimensions 11.3m wide, 12.7m long and 3.2m deep)
 - Single storey rear extension (albeit roof area and not boundary wall) to be replaced with single storey 'L shape' extension to allow provision of courtyard and associated rooflight at ground floor level for basement area.
- 6.3 The previous planning permission (2013/4967/P) has not been implemented on site but is extant and could be implemented up to 05/03/2017. The original application was considered against the LDF Core Strategy and Development Policies.
- 6.4 In light of the above, the predominant focus of this assessment will be on matters which have changed significantly since the original permission, namely the basement floor level construction and detailed design alterations to the rear. The officer report from the original application (interspersed within this report) provides an overview of the consideration of issues which have not changed in the intervening period, although such matters will also be noted in this report for clarity.

27 John Street and 21 Johns Mews

6.5 An application at 27 John Street and 21 Johns Mews (see relevant site history) sought the excavation of a basement floor level. As a consequence, the submitted BIA relevant to 13/15 Johns Mews was amended to take account of the cumulative impacts of adjacent basement constructions, in line with CPG4. The basement element at 27 John Street and 21 Johns Mews was subsequently removed from the application (but retained in the assessment of the BIA) and permission is neither extant nor currently sought for a basement at this address.

Development Control Committee – 25th February

6.6 The application was heard at Committee on 25th February 2016. A deputation raised questions about contaminated land, and made reference to reports

unavailable online. Members also wanted clarity on the duration/dates of groundwater level analysis and reference to CIL.

- 6.7 Officer error resulted in the published Desk Top study being incorrectly labelled as 'superseded' (a two part version) and an unavailable version online (a 9 part version for ease of public viewing). This has since been corrected and has been made available online as of 21st and 23rd March 2016 respectively. In addition, a superseded Geo-environmental report dated September 2014 has also been made available online.
- 6.8 This following officer report now includes sections regarding Contaminated Land and CIL.

Response to points raised in the deputation of 25th Feb 2106

- 6.9 In terms of the other points made in the deputation at the 25th February committee these are specifically addressed in turn below:
 - Plans for approval fundamentally different from when this was first referred to committee: Response: the only change to the plans is as described at para 2.2 above to bring the construction and demolition drawings into line with the planning drawings. The Council's independent basement auditor for this application (GEA) has assessed these minor changes and is satisfied that they do not affect the basement substructure in any material way.
 - 2. Inconsistency between the drawing of the proposed rear elevation and that of the first floor plan:

Response: The long narrow rooflight shown on the rear elevation is consistent with that shown on the first floor plan. The new void which is to the courtyard below is not shown in the rear elevation because it would be concealed by the existing rear containing wall and therefore not readily visible from the buildings on John Street to the rear. The void is completely open from above whilst the newly formed lightwell described at para 7.14 of this report is to the basement accommodation below –and is covered by a rooflight within the courtyard at ground floor level.

3. No current Demolition or Construction Management Plans:

Response: A Demolition and Construction Management Plan is recommended to be secured by section 106 in accordance with CPG4 and CPG6. This guidance does not insist upon such plans to be submitted at application stage and it is usually impractical to do so until a site contractor has been appointed which invariably happens after planning permission is granted. A framework Construction and Traffic Management Plan has been submitted which satisfies the requirements at this stage of the application. A fully conceived document would be approved prior to any commencement of works on site and following local consultation.

 Unsuitability of the site for this development due to contaminated land sitting above a high water table: Response: The Council's contaminated land officer has reviewed submitted contamination documents and is satisfied that, subject to a number of conditions as outlined in paragraphs 7.31 – 7.35 below it would be acceptable to grant planning permission. 5. No consideration of effects on the water table in relation to untanked basements of nearby listed Georgian properties and no consideration of the effect of construction on the listed structures:

Response: The effect of the proposed basement on groundwater flows was comprehensively dealt with in Section 10.2 of the BIA. A thickness of sand and gravel will remain beneath the proposed basement and allow groundwater flow to continue very much as it has done. The possible dewatering during construction of the underpins would tend to lower the groundwater rather than allow it to rise but in any case, the fact that the nearby basements are untanked suggests that groundwater at shallow depth has not in the past posed a problem. A requirement for additional groundwater monitoring will be included within the BCP to ensure that the design groundwater level is appropriate immediately before construction starts.

6. No discussion of how heave would be absorbed by adjoining Georgian buildings and what the Burland Category would be based on the maximum long term prediction of 9mm heave rather than the minimum prediction of 2mm: Response: For clarity, the Burland damage category relates to the differential movement along a wall rather than the gross heave since it is the differential movement that causes building damage. The maximum heave occurs in the middle of the unrestrained basement whilst the 2 mm represents the maximum differential along the walls. This level of differential settlement would relate to damage in the 'very slight' category as stated in the BIA. The movement analysis also predicts that the heave movements will be less than 1 mm ie negligibly small roughly 3 m from the site boundary. The listed Georgian buildings are more than 10 m away so would be beyond the zone of influence of the heave movement.

Response to points raised in the re-consultation

- 6.10 In terms of the newly raised points made in the objections of May 2016 (following re-consultation) these are specifically addressed in turn below:
 - Contamination of land by lead: Response: The Council's contaminated land officer has assessed the submission and has requested a number of appropriate conditions in this respect. (see section 7.31-7.35)
 - Accuracy of Text in BIA:

Response: It is noted by the Council and the objector, the 5th Revision of the BIA includes now erroneous text relating to a now redundant basement scheme at 27 John Street (see 6.5). This is adjudged by GEA to have no detrimental impact upon the findings of the independent basement audit and their conclusion.

- Further Missing Documents: Response: All submitted documents have now been made available online, be they pertinent to the current scheme, since superseded or provided for information purposes or in support of the extant permission.
- Minimisation of Damage to that predicted: The applicant has provided detail within the BIA of projected damage to neighbouring properties which has been independently assessed. (see section 7.11)
- Accuracy of BIA:

The independent reviewer on behalf of the Local Planning Authority is satisfied that the correct analysis and assessment of the basement development has been used.

7. ASSESSMENT

- 7.1 The principal considerations material to the determination of this application are summarised as follows:
 - Land use Loss of office (B1) accommodation
 - Provision and quality of residential accommodation
 - Excavation and Impact of basement development
 - Design related issues/townscape
 - Adjacent residential amenity
 - Transport, access and parking
 - Contaminated Land
 - CIL

Land use - Loss of office (B1) accommodation

7.2 As per 2013/4967/P and paragraphs 2.1 - 2.10 of the associated report, it was considered the applicant demonstrated the building was no longer suitable for its existing business use, in line with part a and b of DP13 and the loss of Class B1 was considered to have been justified. With this in mind and given the 'fall back' extant permission, the principle of Class C3 accommodation in this location is appropriate and in line with DP13, CS6 and DP2. Housing is the priority land use of the LDF and this proposal would add to the housing stock in the borough.

Provision and quality of residential accommodation

- 7.3 As per 2013/4967/P and paragraphs 3.1 3.5 of the associated report, the extant permission provided 2 x 3 bedroom dwellings for residential (class C3) accommodation of 293m².
- 7.4 As a result of the proposed basement floor level, the proposal would provide 2 x 3 bedroom dwellings of 388m², thereby a further uplift of 95m².
- 7.5 The dwellings would again meet the minimum floorspace requirements according to the London Plan, providing a good standard of living accommodation.
- 7.6 From 1st October 2015 the planning authority are no longer able to apply Lifetime Homes conditions, housing designed in line with our wheelchair design guide, and our space standards for dwellings in CPG2. New build residential developments now must comply with the access standards in Part M of the Building Regulations. This includes parts 1 (Visitable dwellings), part 2(Accessible and adaptable dwellings) and M4 (3) wheelchair user dwellings. We will expect all new building housing development to meet Building Regulations M4 (2); and 10% units should be M4 (3) (wheelchair housing), (applied to new build housing providing 10 or more units).
- 7.7 To ensure the development meets the new requirements, this element shall be secured by condition to take into account the new standards.

Excavation and Impact of basement development

7.8 Policy DP27 states that developers will be required to demonstrate with methodologies appropriate to the site that schemes maintain the structural stability

of the building and neighbouring properties; avoid adversely affecting drainage and runoff or causing other damage to the water environment; and avoid cumulative impact upon structural stability or water environment in the local area.

- 7.9 The proposal incorporates a single storey basement extension beneath the footprint of the existing buildings, including the proposed mass concrete underpinning (as shown in the Structural Drawings and Method Statement). The excavation would provide a basement floor level for 112sqm of additional residential floorspace (Dimensions 11.3m wide, 12.7m long and 3.2m deep).
- 7.10 A Basement Impact Assessment (BIA) has been submitted as part of this application. This document has been independently reviewed with subsequent information provided by the author of the BIA during the course of the application. The independent reviewer is satisfied that the correct analysis and assessment of the basement development has been used. The dates of the monitoring (readings) were taken in July, August, September 2015 and then January 2016. The results are relatively consistent and the ongoing monitoring set out in the BCP shall ensure that the developer has the best possible representation of the groundwater profile before starting excavation. If the monitoring shows that the groundwater level is consistent whatever the weather being experienced above then there can be confidence when breaking ground. If however the groundwater level were to fluctuate dramatically with rainfall levels then the contractor would need to make provision for additional pumps to be on site to mitigate this issue. In terms of design, the basement will be designed for a groundwater level of 1.0 m below existing ground level as is normal practice to ensure the structural stability of the wall, so is not dependent on the monitoring. However by placing the ongoing monitoring within a BCP then the groundwater profile will be checked by a third party engineer prior to allowing construction and represents the construction perspective on groundwater inflow. It is recommended securing a Basement Construction Plan (BCP) prior to commencement of works. The BCP would be secured via section 106 including matters such as:
 - Monitoring of party walls and boundary walls for movement at all stages
 - Ensure, by regular inspection, that the measures set out in the BIA are undertaken particularly in respect of mitigation of groundwater ingress during the underpinning process.
 - Ensure that the excavation sequence detailed on BM Drawing No 701 Rev PL3 is followed
 - Review of construction status drawings prior to commencement
 - Review of the contractor's method statement prior to commencement
 - An updated ground movement analysis should be undertaken as part of the detailed design and prior to commencing construction to confirm that the ground movement predictions and damage assessment remain valid.
- 7.11 It is concluded that the BIA presented has a robust understanding of the local soil characteristics and the groundwater regime that is more than adequate to support the proposed works. The assessment has identified appropriate parameters for the design and construction of the works which can be implemented safely, taking into account the stability of excavations and the adjacent listed properties. In particular, the underpins would be formed within a highly competent stratum, as a result the predicted damage to adjacent neighbouring properties would be Category 1– very

slight (which required additional clarification in respect of neighbouring walls), and is thought to be appropriate. The basement construction and associated BIA therefore meets the relevant requirements of DP27, CS14 and CPG4.

Design related issues/townscape

- 7.12 The proposal seeks the alteration of the rear single storey extension and a basement beneath the dwellings footprint. The works proposed as per 2013/4967/P remain in the current proposals and are stated in paragraphs 4.1 4.9 of the associated report. In respect of the extant permission, the addition of a mansard roof was considered subservient to the host building and conforms to guidance in 5.14 of CPG1. The alterations to the front elevation, being the fenestration and doors, were considered an improvement to the character and appearance of the buildings.
- 7.13 No additional external manifestations would take place to the front facade as a result of the new basement floor level.
- 7.14 In respect of the 'new' alterations proposed as part of this application, to the rear, the replacement of the single storey rear extension (albeit roof area and not boundary wall) would allow for a newly formed lightwell within the rear and covered by a rooflight. Whilst not characteristic within the mews, given this would take place behind an existing/retained boundary wall of 2.5m and the proximity and visibility of only private views from John Street, this element would be sympathetically introduced without harm to the mews.

Impact on the setting of Listed Buildings

- 7.15 In the context of new works proposed and those extant, in addition to the comments from Historic England, a Heritage Statement was not required in this instance.
- 7.16 In response to the strong concern about impact on the settings of adjacent listed buildings raised by objectors during the re-consultation, Camden consulted Historic England. Historic England confirmed that they were content for the application to be determined in line with national and local policy and did not need to be involved further.
- 7.17 In considering developments that affect a listed building or its setting, Section 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that local authorities shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 7.18 The proposed alterations would not harm nor take place within or upon the domain of the Grade II listed Georgian terrace houses at 22-28 John Street. It is considered that the proposed works are also sufficiently physically separate and discreetly located so as not to result in harm to the setting of 22-28 John Street. The setting of the listed buildings in closest proximity to 13/15 Johns Mews, and the significance of those settings, is not considered to be harmed by the proposals. Consequently, officers (both planning and conservation) are satisfied that the statutory test is met and would not harm the special architectural and historic interest of these buildings in accordance with the requirements of policy CS14.

7.19 The demolition to take place is limited to the roof, a number of windows openings and the roof of the rear single storey element. This is considered both appropriate and acceptable, without harm to the character and appearance of the building.

Adjacent residential amenity

- 7.20 As per 2013/4967/P and paragraphs 5.1 5.5 of the associated report, the extant scheme would not exert a materially harmful impact on the amenities of adjoining occupiers, in terms of privacy, overlooking, outlook or sunlight/daylight.
- 7.21 The only material difference in comparison with the extant scheme is the basement floor level and associated alteration at rear ground floor level. The proposal would be of no greater harm than the extant scheme as a result of these. The introduction of a rear lightwell/courtyard at basement and ground floor level would not allow intrusive views of the adjacent buildings, nor provide space for an intensive amenity use resulting in significant noise nuisance. The proposal fully satisfies policy DP26 and CPG6.
- 7.22 In order to prevent unreasonable overlooking of neighbouring premises, the roof of the buildings shall be restricted from use as a terrace by way of condition.
- 7.23 Given the location of new works proposed as opposed to those extant, namely at ground and basement floor level, the proposal would not result in a detrimental loss of sunlight/daylight to adjacent occupiers.

Transport, access and parking

- 7.24 As per 2013/4967/P and paragraphs 6.1 6.2 of the associated report, the extant scheme, subject to the provision of a single cycle storage space in each dwelling and a car free obligation, was considered policy compliant. The limited conversion and construction works did not require a Construction Management Plan in this instance.
- 7.25 As a result of the excavation works to provide a basement floor level, the proposal would likely involve a significant amount of construction works. This is likely to generate a large number of construction vehicle movements during the overall construction period. The primary concern is public safety but also the need to ensure construction traffic does not create (or add to existing) traffic congestion. The proposal is also likely to lead to a variety of amenity issues for local people (e.g. noise, vibration, air quality).
- 7.26 A draft Construction Plan has been submitted along with the application. Although this specific document includes some minor superseded methods proposed, this draft document adequately outlines the extent of construction and necessary management required at this stage, particularly prior to the appointment of a contractor. 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. Therefore a more detailed Construction Management Plan (CMP), at a stage closer to the implementation of the scheme must therefore be secured as a Section 106 planning obligation. Any agreed CMP would also include a requirement to consult locally.
- 7.27 The applicant shall be required to submit an 'Approval in Principle' (AIP) report to our Highways Structures & Bridges Team within Engineering Services. This would

include structural details and calculations to demonstrate that the proposed development would not affect the stability of the public highway adjacent to the site, secured by Section 106 planning obligation.

7.28 The proposal thereby complies with the requirements of the Council's transport policy, specifically, DP20.

Sustainability

- 7.29 As per CP3, the amount of floorspace involved falls below the threshold of 500sqm or 5 units, therefore a BREEAM pre-assessment is not required. Nevertheless, the applicant submitted a Code for Sustainable Homes achieving level 4. This has been the requirement of policy DP22 which expects new build housing to meet Level 4. The Code for Sustainable Homes has now been withdrawn by the government through a Ministerial Statement in March 2015. Therefore, it is no longer necessary for a Code level post-assessment to be secured through a Section 106 Legal Agreement.
- 7.30 The new units need to comply with London Plan policy 5.2 (35% reduction in carbon emissions beyond Part L building regulations) and must achieve water efficiency of 110 litres per day. This element will be secured by condition.

Contaminated Land

- 7.31 The objections in relation to the presence of contamination revolve around benzo(a)pyrene and lead contamination. The single measured concentration of benzo(a)pyrene of 1.8 mg/kg (as per the Geo-environmental Interpretative Report) is below the value of 5.0 mg/kg that we would typically use for residential gardens for which children aged 0 to 6 are the sensitive receptor. It should be noted however, the development would not in any case incorporate a garden, but rather a hard cover above the made ground. Therefore the risks to future residents, neighbouring properties and the wider environment are considered to be 'low'. In the event that additional significant contamination is found at any time when carrying out the development, a condition will secure an investigation and risk assessment, as well as a scheme of remediation to be designed and implemented to the satisfaction of the local planning authority.
- 7.32 Following a number of investigative visits, the site has been classified as a Characteristic Situation 1 (following modified Wilson & Card Methodology). In addition to the hard cover proposed, the risks to future residents, neighbouring properties and the wider environment, with specific regard to ground gas, are considered to be 'low'.
- 7.33 In respect of dusting following demolition/construction, the basement construction plan will also detail how spoil is to be dealt with and on the basis that a reputable contractor is used then there should be nothing different to any other basement construction in respect of removing spoil from site using standard dust suppression techniques. The downward migration of contaminants through piling is considered to be a remote possibility and the risk may be considered negligible. Piles will be bored rather than driven and will be cased into the London Clay such that no contaminants can fall into the bore. The piles will then be concreted from the base up and any contamination outside the casing would be prevented from downward migration by the rising wet concrete.

- 7.34 In review of the above and all relevant submitted documents, it is the recommendation of Environmental Health Officers / Contaminated Land Officers that the site is of low risk in regards to contamination. However, in the event that additional significant contamination is found at any time when carrying out the proposal, it must be reported to the local planning authority with a view to providing an investigation and risk assessment for potential remediation to the satisfaction of the local planning authority before any part of the development would be occupied. In addition, a condition shall ensure a pre-demolition asbestos survey in respect of potential asbestos on site.
- 7.35 The proposal thereby complies with the requirements of the Council's Contamination policy, specifically, policy CS5 and DP26.

CIL

- 7.36 The proposal would be Camden CIL liable 174m² (GIA uplift of new floorspace) x £500 (Zone A CIL Tariff) = £87,000.
- 7.37 Based on the Mayor's CIL charging schedule and the information given on the plans the charge is likely to be £8,700 (174m² x £50).

8. CONCLUSION

- 8.1 The external alterations, in mind of the extant permission, are considered to be acceptable in design terms. The rear alterations would be sympathetic to the character and appearance of the host building and the conservation area. The rear alterations are not considered to have any adverse impact on the residential amenity of neighbouring properties. The applicant has demonstrated, following independent review that the excavation of a basement floor extension would not harm the surrounding area and the development would not harm the amenity of neighbouring residents, subject to suitable s106 controls over construction.
- 8.2 The development would be appropriate and in accordance with relevant National and Regional Policy, Core Strategy and Development policies and Camden Planning Guidance for the reasons noted above.
- 8.3 Planning Permission is recommended subject to a S106 Legal Agreement covering the following Heads of Terms:-
 - Construction and Demolition Management Plan
 - 'Approval In Principle' (AIP) report and assessment fee of £1,500
 - Basement Construction Plan
 - Financial contribution for highway works
 - Car free

9. LEGAL COMMENTS

9.1 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 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

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 policy DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

3 The development hereby permitted shall be carried out in accordance with the following approved plans [OS Extract (Site location plan): 200_32_100; Demolition drawings: 200_32_23, 200_32_24, 200_32_25, 200_32_26; Existing drawings: 200 32 01, 200 32 02, 200 32 03, 200 32 04; Proposed drawings: 200 32 17 (proposed street view visual), 200 32 18, 200 32 19, 200 32 20, 200 32 21, 200 32 22, 200 32 23, 200 32 24, 200 32 25, 200 32 26; Structural Drawings and Demolition Method Statement (revised on 09.02.2016): L14771/00-T2 General Notes; L14771/01-PL1 GA: Lower Ground Floor & Ground Floor Plans; L14771/02-PL1 GA: First and Second Floor Plans; L14771/03-PL1 GA: Roof Plan; L14771/04-PL1 GA: Sections A and B; L14771/05-PL1 GA: Sections 1-7 and Details; L14771/06-PL1 GA: Sections 8-19e; L14771/701-PL3 Temporary Works: Method Statement and Temporary Propping Plans; L14771/702-PL1 Temporary Works: Ground Beam Plan and Stage 1 Section; L14771/703-PL2 Temporary Works: Stage 2 and Stage 3 Section; Desk Top Study Report - DTS/4507- August 2014 (*aka Desk Top Study Report (BIA) - Re-uploaded March 2016*); Basement Impact Assessment (January 2016) Ref BIA 4507D Rev 5, prepared by Chelmer Site Investigation Laboratories Ltd; Addendum Letter (Ref: BIA/4507f) Report Revised Ground Movement and Damage Category Assessments, dated 6.5.2016; Gas/Groundwater Monitoring Results Sheet (4507F) prepared by Chelmer Site Investigation Laboratories Ltd; Landborne Gas Assessment (CCS/4507D) prepared by Chelmer Site Investigation Laboratories Ltd; Geo-environmental Interpretative Report (GENV/4507) REV 3 dated June 2016 by Chelmer Consultancy Services; Supporting Marketing Information, prepared by FT Architects]

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

4 Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 2015 or any Order revoking and re-enacting that Order, no development within Part 1 (Classes A-H) [and Part 2 (Classes A-C)] of Schedule 2 of that Order shall be carried out without the grant of planning permission having first been obtained from the local planning authority.

Reason: To safeguard the visual amenities of the area and to prevent over development of the site by controlling proposed extensions and alterations in order to ensure compliance with the requirements of policies CS14 and CS5 of the London

Borough of Camden Local Development Framework Core Strategy and policies DP24 and DP26 of the London Borough of Camden Local Development Framework Development Policies.

5 The roofs of the dwellings hereby permitted shall not be used as terraces or any other type of amenity space and access to them shall be for maintenance purposes only.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies 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.

6 The dwelling hereby approved shall be designed and constructed in accordance with Building Regulations Part M 4 (2) in relation to accessible dwellings and shall be maintained thereafter.

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.

7 The development hereby approved shall achieve a maximum internal water use of 105litres/person/day, allowing 5 litres/person/day for external water use. Prior to occupation of the relevant part of the development, evidence demonstrating that this has been achieved shall be submitted and approved by the Local Planning Authority.

Reason: To ensure the development contributes to minimising the need for further water infrastructure in an area of water stress in accordance with policies CS13 (Tackling climate change through promoting higher environmental standards), DP22 (Promoting sustainable design and construction) and DP23 (Water)

8 In the event that additional significant contamination is found at any time when carrying out the approved development it must be reported in writing immediately to the local planning authority. An investigation and risk assessment must be undertaken in accordance with the requirements of the Environment Agency's Model Procedures for the Management of Contamination (CLR11), and where mitigation is necessary a scheme of remediation must be designed and implemented to the satisfaction of the local planning authority before any part of the development hereby permitted is occupied.

Reason: To protect future occupiers of the development from the possible presence of ground contamination arising in connection with the previous industrial/storage use of the site 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. 9 The developer must either submit evidence that the building was built post 2000 or provide an intrusive pre-demolition and refurbishment asbestos survey in accordance with HSG264 supported by an appropriate mitigation scheme to control risks to future occupiers. The scheme must be written by a suitably qualified person and shall be submitted to the Local Planning Authority and must be approved prior to commencement to the development. The scheme as submitted shall demonstrably identify potential sources of asbestos contamination and detail removal or mitigation appropriate for the proposed end use. Detailed working methods are not required but the scheme of mitigation shall be independently verified to the satisfaction of the Local Planning Authority prior to occupation.

Reason: To protect future occupiers of the development from the possible contamination arising in connection with the buildings on the site 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 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).
- Noise from demolition and construction works is subject to control under the 2 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. 7974 4444 No. 020 or on the website http://www.camden.gov.uk/ccm/content/contacts/councilcontacts/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.
- 3 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.

The proposed charge in Camden will be £50 per sqm on all uses except affordable housing, education, healthcare, and development by charities for their charitable purposes. You will be expected to advise us when planning permissions are implemented. Please use the forms at the link below to advise who will be paying the CIL and when the development is to commence. You can also access forms to allow you to provide us with more information which can be taken into account in your CIL calculation and to apply for relief from CIL.

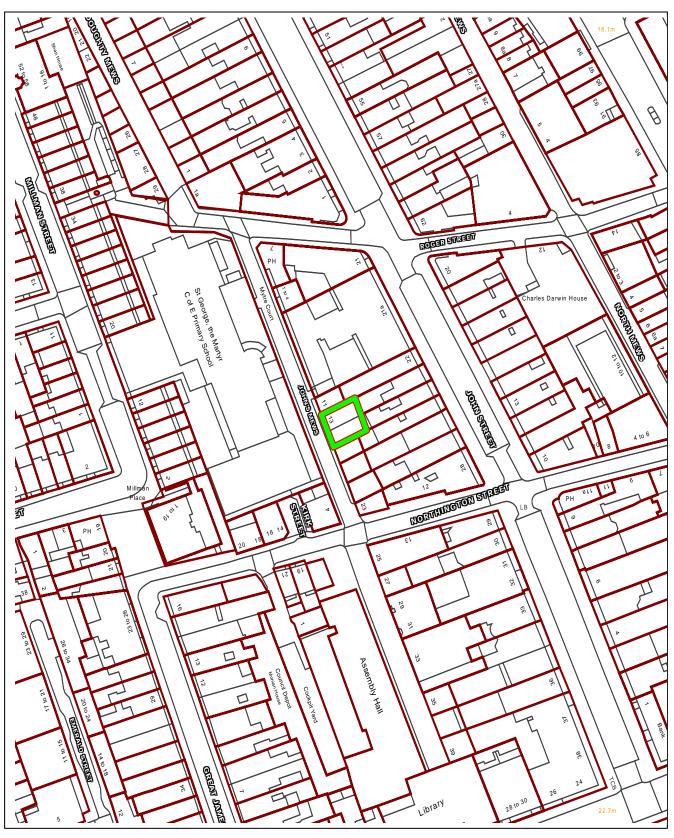
http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil

We will then issue a CIL demand notice setting out what monies needs to paid

when and how to pay. Failure to notify Camden of the commencement of development will result in a surcharge of £2500 or 20% being added to the CIL payment. Other surcharges may also apply for failure to assume liability and late payment. Payments will also be subject to indexation in line with the construction costs index.

Please send CIL related documents or correspondence to CIL@Camden.gov.uk

- 4 Your proposals may be subject to control under the Party Wall etc Act 1996 which covers party wall matters, boundary walls and excavations near neighbouring buildings. You are advised to consult a suitably qualified and experienced Building Engineer.
- 5 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.



Application No: 2014/3330/P 13/15 Johns Mews London WC1N 2PA	Scale: 1:1250 Date: 16-Sep-16	N T
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2014/3330/P 13 & 15 Johns Mews London WC1N 2PA

1. 2014/3330/P 🛛 🗧



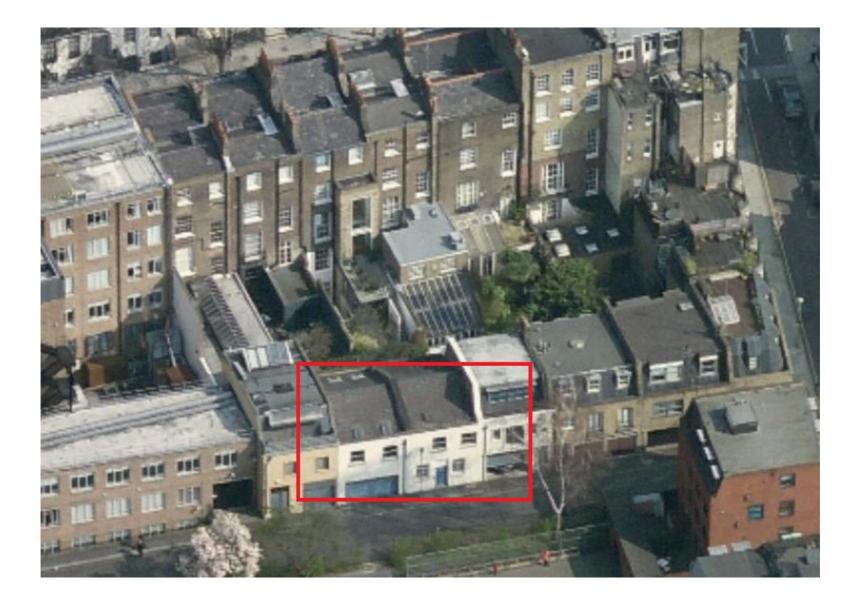
camden.gov.uk



2. 2014/3330/P



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Site Photographs





Site Photographs





Site Photographs



EXISTING STREET SCENE

Demolition and excavation

6. 2014/3330/P

Rear

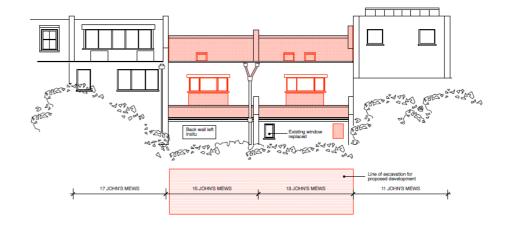


Front

EXISTING REAR ELEVATION



-



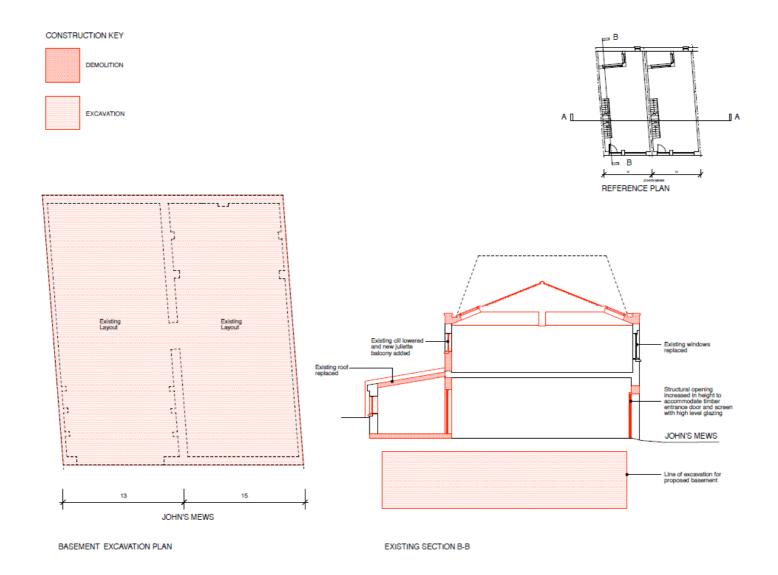
CONSTRUCTION KEY DEMOLITION





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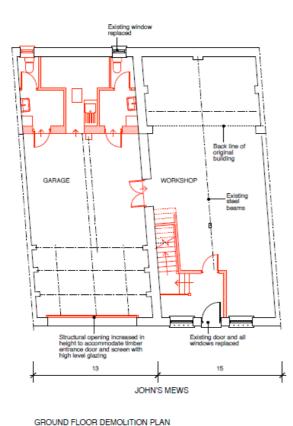


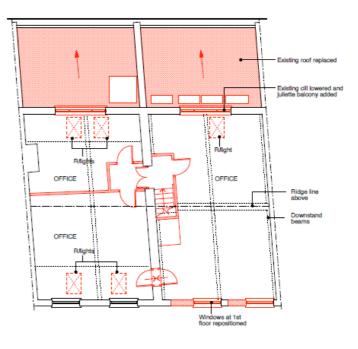
Demolition and excavation



CONSTRUCTION KEY





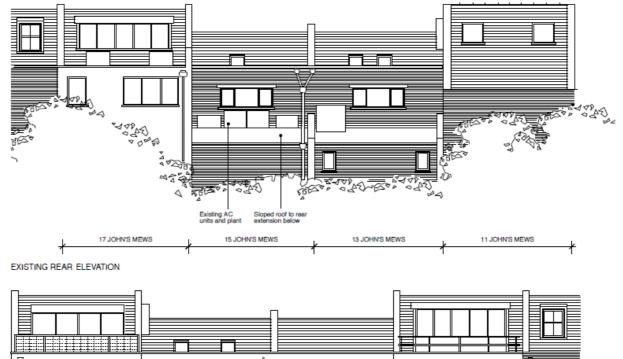


FIRST FLOOR DEMOLITION PLAN



Demolition and excavation







EXISTING FRONT ELEVATION

SCALE

camden.gov.uk

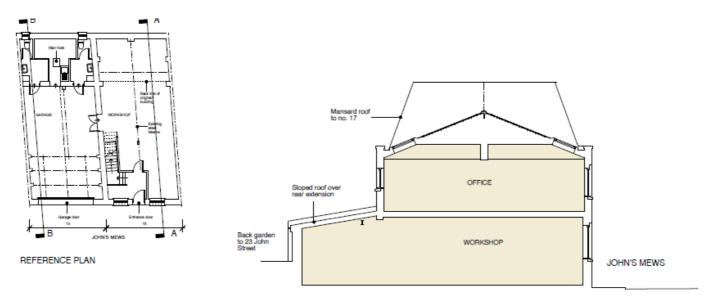
Existing front and rear elevations



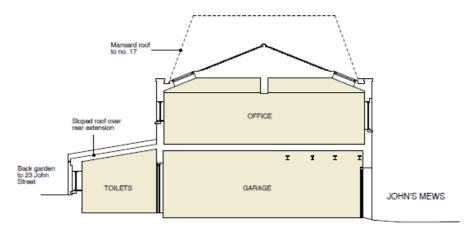


Proposed front and rear elevations





EXISTING SECTION AA THROUGH 15 JOHNS MEWS

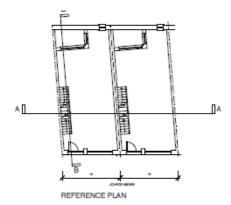


EXISTING SECTION BB THROUGH 13 JOHNS MEWS

camden.gov.uk

Existing Section





BEDROOM :

EN SUITE FOR BEDROOM 1

> LIVING ROOM

UTILITY

13

PROPOSED SECTION A-A

Rooflight over

staircase

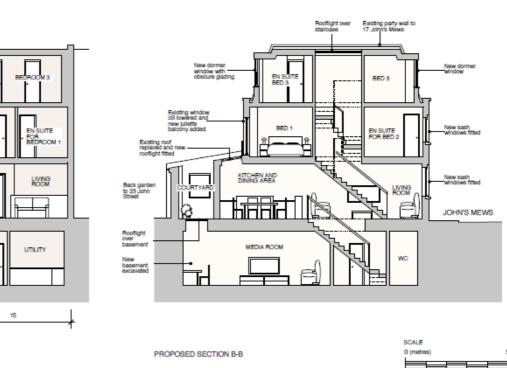
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JOHN'S MEWS

Rooflight over

staircase

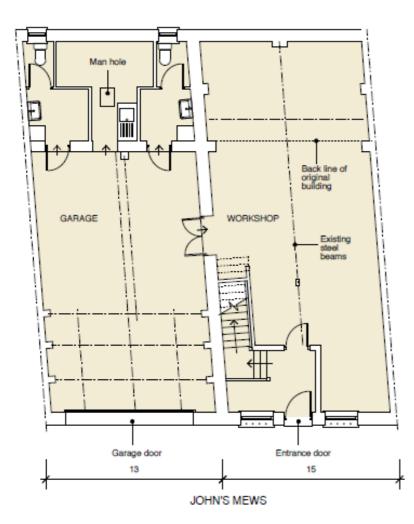


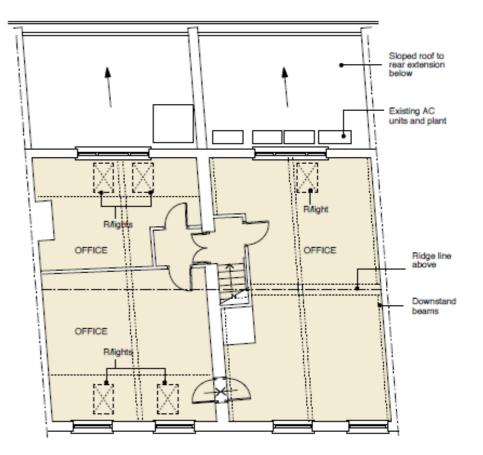
This application is a variation on the proposed development granted consent in 2013 (ref 2013/4067/P)

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Proposed Section







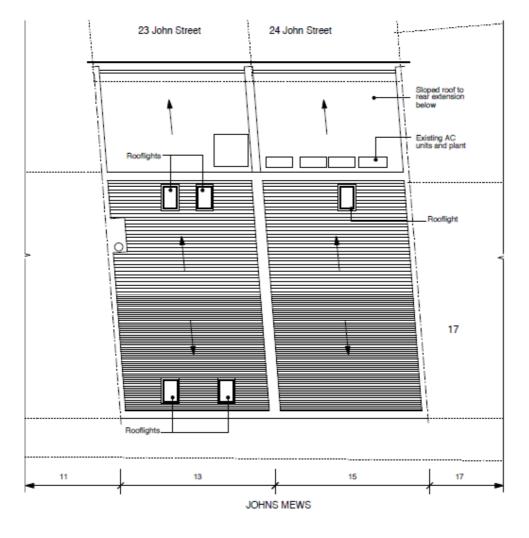
EXISTING GROUND FLOOR PLAN

EXISTING FIRST FLOOR PLAN

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Existing ground and first floor plan



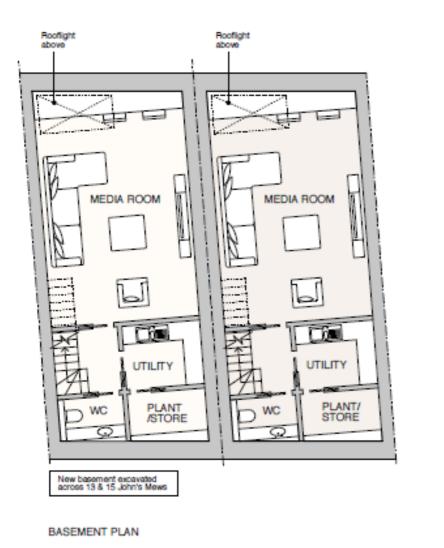


EXISTING ROOF PLAN

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Existing roof plan





Courtyard 1800mm (at Courtyan widest point) x 2850mm . . . Roof light _____ above in new roof 80 8 Roof light above in KITCHEN KITCHEN new roof LIVING LIVING Cycle space Entrance door Garage door Entrance door 13 15

JOHN'S MEWS

Existing

window

retained

Rooflight

basement

over

Existing

rear wall

Refuse and

kitchen units

recycling storage intergrated within

GROUND FLOOR PLAN

Existing

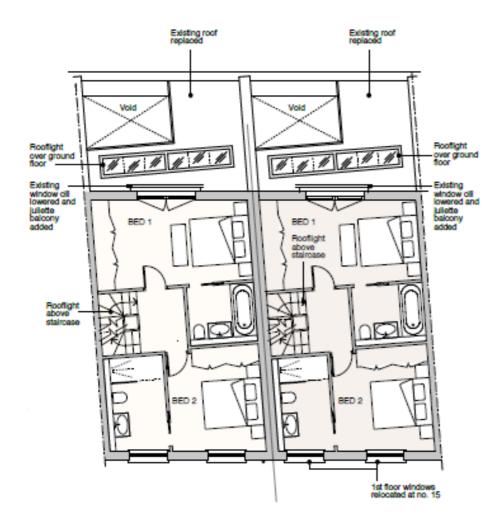
window blocked up Rooflight

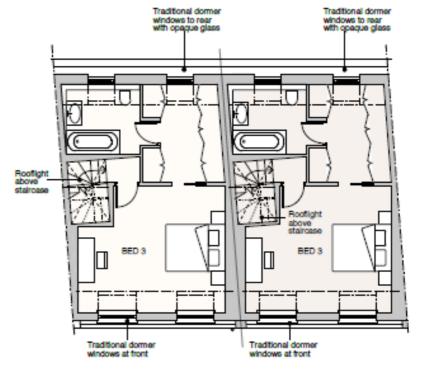
besement

over

camden.gov.uk Proposed basement and ground floor 15. 2014/3330/P

Camden





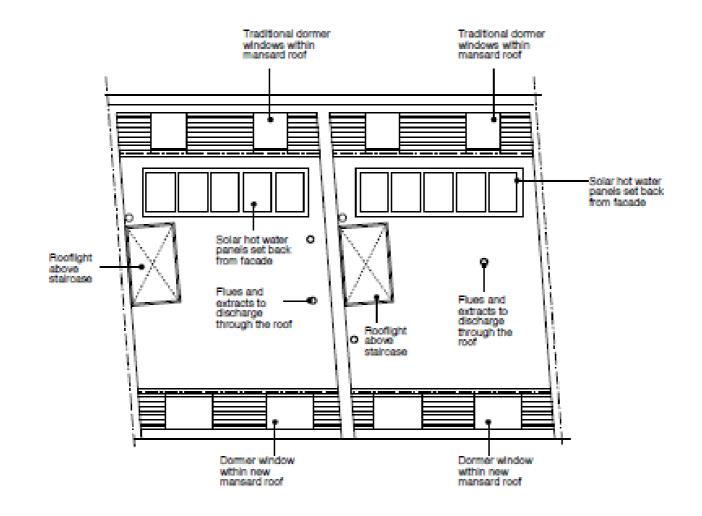
FIRST FLOOR PLAN

SECOND FLOOR PLAN

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Proposed first and second floor plan





PROPOSED ROOF PLAN

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Proposed roof plan





Site Visualisations

