



Our Ref:
Your Ref:

19 April 2018

Planning and Built Environment
London Borough of Camden
5 Pancras Square
London
N1C 4AG

Dear Sir/Madam

SECTION 73 APPLICATION TO VARY CONDITIONS 3 AND 4 OF APPLICATION REFERENCE 2015/5605/P TO AMEND THE APPROVED EXTERNAL LANDSCAPING AT 144 SOUTHAMPTON ROW, LONDON, WC1B 5AJ

Please find enclosed a planning application submitted under Section 73 of the Town and Country Planning Act 1990 for the above proposed amendment. The application is submitted on behalf of Origin Housing, who own the freehold of the unit.

Planning consent was granted for the change of use of the unit from B1 to C3 on 14th April 2016, under application reference 2015/5605/P, subject to 4 conditions.

It has become apparent that the landscaping scheme approved would not be viable, given the extensive earth works and associated tree protection requirements, so this application seeks an amended layout, still providing amenity space well over the London Plan minimum requirement (15.8sqm), but with less impact on the viability of the project.

The amended landscaping hereby proposed also ensures there will be no impact on the existing tree to the rear of the property, thus we request that condition 4 be amended as part of this application.

Site and Surroundings

The application unit lies at lower ground floor level at the rear of the block known as Russell Mansions (144 Southampton Row). The block sits on the eastern side of Southampton Row and comprises 4 shops/commercial units on the Southampton Row frontage at ground level, with 5 storeys of housing association flats above.

The application unit is accessed via the main front building entrance onto Southampton Row, and then via steps down to lower ground level and across the existing internal courtyard.

The unit faces onto a garden area at the rear of the mansion block, which is accessed via a passageway which runs along the northern side of the application unit. The garden area comprises a hard surfaced area at ground level, running along the rear of the building, then a metre high retaining wall and bank sloping up to the rear boundary of properties fronting onto Queen Square to the east. A mature tree is present within this banked area.





The application unit was previously used as B1 office space and an artists' studio, but has been vacant for 8 years now.

The wider area is characterized by office and commercial uses at ground level, with residential uses above, in blocks of predominantly 7-10 storeys in height. The site is well served by public transport, with Russell Square underground station a short walk to the north, and Holborn underground station a short walk to the south. Southampton Row is also served by a large number of bus routes.

Planning History

Most recently, and subject of this application, consent was granted for the change of use of the unit from B1 to C3, in April 2016, under application reference 2015/5605/P.

From a review of the Councils planning explorer website, there is no other planning history for number 144 Southampton Row. Planning history for the surrounding units is limited, but most recently, consent was granted for change of use from A1 retail to A2 betting shop at 142 Southampton Row. The unit was previously a dry cleaners and laundry.

A number of other applications relate to 142 Southampton Row, but these mainly concern fascia's and signage, as well as the installation of an ATM. A further application relates to a telephone kiosk outside the building, on the Southampton row pavement.

Prior to these, applications in 1983, 84 and 86 achieved consent for a new shopfront at unit 146 and a rear extraction duct.

Proposed Development

The approved scheme includes the partial demolition of the retaining garden wall and stepping of this back into the landlord garden area, thereby creating a larger patio area for use by residents of the application unit. The approved patio area amounts to 27.3 sqm and included two areas of planting in raised beds.

Amendments to the approved scheme comprise the retention of the existing rear amenity area without amendments to the retaining wall. This ensures adequate amenity space provision, but improves viability by removing the necessity of costly earthworks. The amendments also ensure no encroachment into the root protection zone of the tree and thus no requirement for tree protection measures to be implemented.

The proposal therefore is to vary conditions 3 and 4 of the extant consent. Condition 3 lists the approved plans and reads as follows:

The development hereby permitted shall be carried out in accordance with the following approved plans SR/PL06, SR/PL05, SR/PL04, SR/PL03, SR/PL02, SR/PL01, SR144-0215-001, Design & Access Statement, Location Plan, Daylight Sunlight Report, Disposal Appraisal.

The application is supported by the following plans:

- Southampton Row OS008 (Site Location Plan)



- SR/PL01A- Proposed Plans
- SR/PL02A- Proposed Sectional Elevations
- SR/PL03- Proposed Elevation
- SR/PL04A- Demolition 1: Plans
- SR/PL05A- Demolition 2: Elevations and Sections
- SR/PL06A- Proposed Landscaping

We therefore request that condition 3 is amended to read:

The development hereby permitted shall be carried out in accordance with the following approved plans SR/PL06A, SR/PL05A, SR/PL04A, SR/PL03, SR/PL02A, SR/PL01A, SR144-0215-001, Design & Access Statement, Location Plan, Daylight Sunlight Report, Disposal Appraisal.

Condition 4 concerns Tree Protection and reads as follows:

Prior to the commencement of any works on site, details demonstrating how trees to be retained shall be protected during construction work shall be submitted to and approved by the Council in writing. Such details shall follow guidelines and standards set out in BS5837:2012 "Trees in Relation to Construction". All trees on the site, or parts of trees growing from adjoining sites, unless shown on the permitted drawings as being removed, shall be retained and protected from damage in accordance with the approved protection details.

Given that there will be no works in or around the root protection zone of the on site tree and the existing retaining wall will be fully retained, there is no requirement to provide tree protection details. We therefore propose that condition 4 is amended so that it reads as an informative, as follows:

All trees on the site, or parts of trees growing from adjoining sites, unless shown on the permitted drawings as being removed, shall be retained and protected from damage in accordance with the approved protection details.

The proposed amendments will have no impact on the quality of residential accommodation or any physical works to the building, neither internal or external, thus these matters already approved are not subject to further consideration.

Relevant Planning Policy

Decisions on planning applications must be made in accordance with the policy context contained within the relevant development plan for the area. In this case, the development plan comprises, at the regional level, the London Plan, and at a local level, the Camden Local Plan 2017.

The following policy section focuses on those policies of relevance to this minor amendment to the approved scheme and does not re-visit the wider policy context which has previously been agreed as part of the extant consent.



London Plan 2015

Policy 3.5 of the London Plan requires that housing development is of the highest quality- internally, externally and in relation to its context.

Mayor of London Housing SPG March 2016

This document sets the amenity space standards for residential development in London, with Standard 26 requiring a minimum of 5sqm of private outdoor space for 1-2 person dwellings and an extra 1sqm for each additional occupant.

Camden Local Plan 2017

Policy A2 concerns Open Space and requires that development does not put unacceptable pressure on the borough's network of open space. To do this, developments must seek opportunities for providing private amenity space.

Paragraph 6.49 states that 'private amenity space is also important in adding to residents' quality of life and applicants are therefore encouraged to explore all options for the provision of new private outdoor space'.

Policy D1 concerns Design and states that the Council will seek to secure high quality development, by requiring that schemes incorporate outdoor amenity space.

Assessment

The section 73 proposal seeks a minor change to the external amenity space serving the residential dwelling but proposes no alteration to the residential unit itself, which will remain as approved.

The extensive earthworks and new retaining wall proposed under the previous consent would be time consuming and costly to construct, bringing the viability of an already tight scheme into question and most likely resulting in the residential unit not coming forward.

The proposal to retain the existing retaining wall means the amenity space provided will reduce from the approved 27.3 sqm, however the area that will be provided will be well in excess of the required 5sqm, amounting to over 15 sqm, thus is generous for the size of the 1 bed unit.

The outlook provided from the amenity space is onto a green bank and trees, thus the unit will still benefit from the same degree of open space and outlook, just the patio area will be reduced.

The patio area will be refurbished as part of the wider redevelopment, to ensure a high quality amenity space and will include areas of planting, as per the approved scheme.

Overall, whilst the approved amenity space will be reduced, the proposed area is still generous and there is no planning reason why the amendment should not be acceptable.



Conclusion

To conclude, the proposed amendment will provide generous amenity space for the unit and will ensure that a long term vacant unit will be brought back into viable use, providing a new residential flat, for which there is much demand in the Borough.

The physical standards of the unit, in terms of area, amenity space and daylight will all still comply with the required levels, and the proposed development will lead to a wider refurbishment of the block, including the fire escape and rear garden area.

We trust the above information, and that attached, satisfactorily details the proposed scheme and its associated merits, but should you have any further queries, please do not hesitate to contact us.

Yours Sincerely

A handwritten signature in black ink, appearing to read 'Jonathan Rowlatt', written in a cursive style.

Jonathan Rowlatt
Associate Director

For and on behalf of WYG