

**99 CAMDEN MEWS,
LONDON NW1 9BU
LONDON BOROUGH OF CAMDEN**

APPEAL STATEMENT
RESIDENTIAL DEVELOPMENT

Prepared By



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Our Ref: 697

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1.0 INTRODUCTION

- 1.1 This Statement accompanies an appeal against the decision by the London Borough of Camden ("the Council" hereafter), to refuse planning permission for a replacement dwellinghouse at no.99 Camden Mews, London (LPA Ref: 2017/5313/P).
- 1.2 The planning application seeks to demolish the existing dwellinghouse at the site. The existing house was first constructed as two 2 storey gabled properties facing the street. The properties have subsequently come under separate ownership. In 1977 an infill extension was erected between the gables.
- 1.3 The replacement dwellinghouse is designed to provide for the changing needs of the appellant who wishes to remain as a resident of 99 Camden Mews after the replacement dwelling is built. Moreover, the dwellinghouse is designed to respond to the established built context and the constraints and opportunities of the site.
- 1.4 In that regard, the appeal site is located within the Camden Square Conservation Area, an area characterised by mews which, according to the area's appraisal, contain *"inventive building developments that have also evolved over time. This has resulted in a character that is a unique mix of nineteenth, twentieth and twenty-first century ideas of the mews concept."*
- 1.5 In their decision, issued 23rd February 2017 (attached at Appendix 1), the Council determined to refuse the application for four reasons. The first reason relates to the demolition of the dwelling:
- "By reason of the loss of the existing building which makes a positive contribution to the Camden Square Conservation Area and a lack of justification for its demolition or exploration of its retention, would cause harm to the character and appearance of the conservation area, contrary to Policy D2 of the Camden Local Plan 2017."*
- 1.6 The second reason relates to the design of the proposed dwellinghouse:
- "By virtue of its scale, massing, form and detailed design, would cause harm to the character and appearance of the street scene and the wider area and would fail to preserve or enhance the character and appearance of the Camden Square Conservation Area, contrary to Policies D1 and D2 of the Camden Local Plan 2017."*
- 1.7 The third reason relates to the absence of a legal agreement
- "In the absence of a legal agreement securing a Construction Management Plan, would be likely to give rise to conflicts with other road users and be detrimental to the amenities of the area generally, contrary to Policy T4 of the Camden Local Plan 2017."*
- 1.8 The fourth reason also relates to the absence of a legal agreement
- "In the absence of a legal agreement to secure highway contributions to undertake repair works outside the application site, would fail to restore the pedestrian environment to an acceptable condition, contrary to Policies T1 and T3 of the Camden Local Plan 2017."*
- 1.9 This Statement sets out the Appellant's grounds for the approval of the scheme

2.0 GROUNDS OF APPEAL

Reason for Refusal 1

2.1 The reason for refusal 1 states that the proposal;

“by reason of the loss of the existing building which makes a positive contribution to the Camden Square Conservation Area and a lack of justification for its demolition or exploration of its retention, would cause harm to the character and appearance of the conservation area, contrary to Policy D2 of the Camden Local Plan 2017”.

2.2 The Officer considered that insufficient information was submitted to justify the demolition of the existing dwelling, contrary to Policy D2 (“Heritage”).

2.3 The officer states in her report, *“It is acknowledged that the demolition of the application building was allowed as part of the previous permission (reference 2014/3907/P).”* However, the Council no longer support the demolition of the application building as it was *“decided under a different plan context and is given limited weight as a fallback position”*.

2.4 Planning permission 2014/3907/P was decided against Policy DP25 of Camden Development Policies (adopted in 2010). Part (c) of this policy states;

“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.”

2.5 The more recently refused application was decided against part (f) of Policy D2 of the Camden Local Plan 2017 which states;

“The Council will resist the total or substantial demolition of an unlisted building that makes a positive contribution to the character or appearance of a conservation area.”

2.6 Camden Council did introduce a new Local Plan before the recent application was submitted but it is clear that no change in meaning was made to the applicable policy. Therefore, given that the demolition of the building was compliant with policies in 2014, it should remain compliant with policies in 2016, given that there has been little change made to the relevant policy.

Reason for Refusal 2

2.7 The reason for refusal 2 states that;

‘By virtue of its scale, massing, form and detailed design, would cause harm to the character and appearance of the street scene and the wider area and would fail to preserve or enhance the character and appearance of the Camden Square Conservation Area, contrary to Policies D1 and D2 of the Camden Local Plan 2017.’

2.8 To examine this assertion we must consider the established character and appearance of properties in the Conservation Area; in particular, their heights, design and roof forms, and the combination of those elements.

2.9 We examine the assertion under the following 4 headings which together provide a tangible indication as to whether the proposal is out of keeping with the Conservation Area, or not

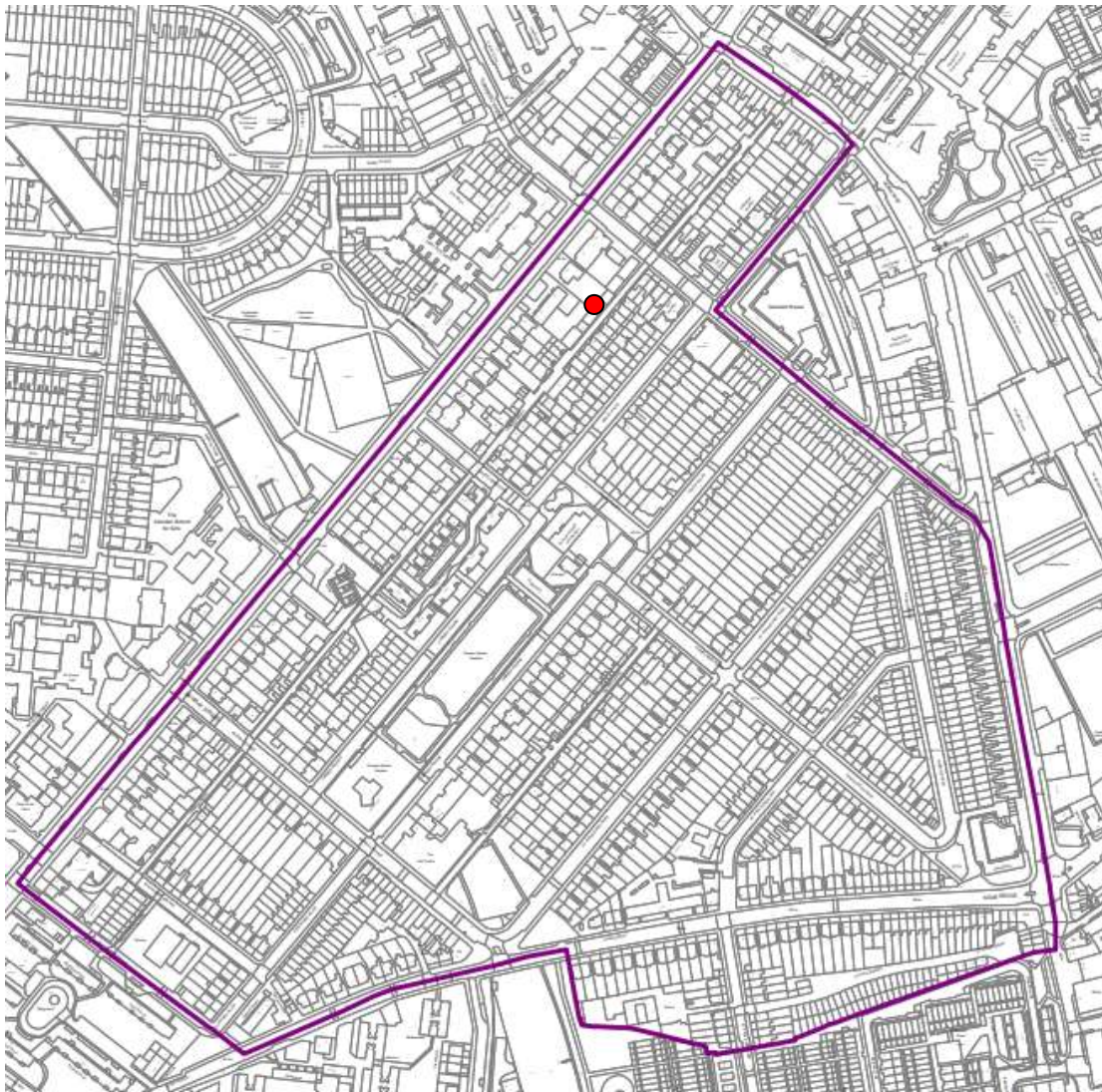
- a. The Camden Square Conservation Area – Character Overview
- b. Scale and Massing
- c. Form
- d. Design

2.10 We also examine the officers assessment (in her delegated report), together with further assessment of the appeal sites individual site characteristics and recent approved development in Camden Mews.

- e. The Officer's Assessment

a. The Camden Square Conservation Area – Character Overview

2.11 The Camden Square Conservation Area was first designated in October 1974 (see the Council's Camden Square Conservation Area Map - extract below). No.99 Camden Mews lies to the north west of the Conservation Area.



CAMDEN SQUARE CONSERVATION AREA MAP | APPEAL SITE CIRCLED RED

- 2.12 The vast majority of the constituent buildings in the Conservation Area are labeled as making a 'positive contribution' as they are buildings which relate to the core reason for the conservation area designation and significance of the Area, namely its construction in the nineteenth century as the Camden New Town Estate. 99 Camden Mews is identified as making such a positive contribution.
- 2.13 The Council's Conservation Area Statement describes the character of the Conservation Area; *"The majority of plots have been built as independent dwellings and/or workshops at the ends of the gardens of the frontage houses. The original character of the mews as subsidiary to the Square has largely been respected in the modern redevelopments, which are generally of two or two-and-a-half storeys and of a high design standard. They take an imaginative approach to development in the spirit of a mews' scale, form, and variety of styles and materials."*
- 2.14 One of the distinct character areas identified in the Statement is 'Camden Mews' within which the appeal site falls.
- 2.15 Camden Mews exhibits a variety of building styles developed informally over many years. It is this blend of styles that gives Camden Mews its distinctive character. This variety is acknowledged in the Council's Conservation Area Statement which states that *"Camden Mews and Murray Mews are two long, smaller scale service areas developed incrementally over a hundred and fifty years and **packed with ingenuity and variety**. Camden Mews and Murray Mews represent areas of artists/architects studio houses which became fashionable from the early 1960s. Parts of the mews remained unfinished, and years later, as traffic on main roads and land values increased, the relative seclusion and cheapness of the land made them popular places for architects to build their houses. This accounts for the **inventiveness and variety that is characteristic of these mews**."* (emphasis added).



EXAMPLES OF THE DIVERSITY OF ARCHITECTURAL STYLES IN CAMDEN MEWS

- 2.16 Given the mix of styles, variance in the height, width and depth of each individual property is understandably ubiquitous.
- 2.17 Therefore, Camden Mews can clearly accept different styles of architecture.

b. Scale and Massing

- 2.18 The officer describes the proposed dwelling as 3 storeys, while referring to other dwellings in the mews as two-and-a-half storeys; the proposed upper storey is approximately 1.4meters in height, compared to the two storeys below which are 2.5 meters each. Given that the proposed upper storey is less than a metre lower in height than the storeys beneath, it is a fair assumption that the proposed dwelling can also be described as a two-and-a-half storey building.

- 2.19 Along Camden Mews, the vast majority of individual property massing exhibits arrangement of 2.5 storeys. The plan below identifies roof heights in the immediate vicinity of the appeal site.



HEIGHTS OF SURROUNDING BUILDINGS

- 2.20 Accordingly, the above plan demonstrates that the height of properties in the vicinity of the site range from 2 to 2.5/3 storeys. The proposed height at 2.5 storeys is entirely in-keeping with the established height of adjacent properties in the Conservation Area.
- 2.21 Over the last few years, Camden Mews has been subject to some change through the redevelopment or substantial alteration of individual properties. Several of these houses are considered as making a 'positive contribution' to the Conservation Area.
- 2.22 It is the character and appearance of this more recently constructed group of buildings that the proposal for No. 99 is aligning itself. We provide a brief overview of four recent examples, to highlight each of the issues mentioned in the second reason for refusal.

97 Camden Mews (2016/3638/P)

- 2.23 This property is located on the same side of Camden Mews and is directly adjacent to 99a Camden Mews. 99a Camden Mews was originally part of No. 99 and contains a gabled roof.
- 2.24 Planning permission was achieved for a change of use from motor repair garage to 2 x 3 storey residential units. This scheme has many similarities to that proposed at No. 99; the second storey has been setback so that the new building does not dominate neighbouring properties, including those opposite. Officers felt that this *"is important that it not compete visually with the prominent gable of no. 99a."*
- 2.25 Officers provided an interesting insight into Camden Council's thoughts on the mews when debating this application. *"The character of Camden Mews is one of irregularity, in terms of materials and design, reflecting its piecemeal development over 150 years. In particular, many sites were developed as individual architectural compositions of significant quality and the current proposal is considered to add to this character."*
- 2.26 Officers did not consider the 3 storeys would overwhelm the mews as the proposal would present *"a typical two storey development above ground with a third floor, set back from the front building."* *"It is contended that the scale, bulk and height of the proposed houses would be in keeping with the adjoining properties, the properties opposite, and the general character of the modern housing within the Mews. It is considered that the proposal would be in-keeping with the mews as a whole as there is a mix of different design and styles from different eras."*



c. Form

- 2.27 The officer does not specifically comment on the 'form' of the proposed dwellinghouse in her delegated report. She does mention that *"the original character of the mews as subsidiary to Camden Square has largely been respected in the more modern redevelopments, which are generally of two or two-and-a-half storeys and of a high design quality. They take an imaginative approach to development in the spirit of a mews' scale, form, and variety of styles and material"*.

- 2.28 We have taken the 'form' of the proposed dwelling to mean 'shape'. The front elevation of the property is made up of vertical planes with recesses. The top floor is stepped in from the front elevation and has a flat roof. Vertical recesses can be seen on the approved dwellings at 97 Camden Mews, highlighted above.
- 2.29 Camden Mews contains approximately 13 pitched roofs, 12 flat roofs, 2 crown roofs and 1 arched roof. We maintain that there are no 'typical' roofs in the area. Our own assessment and that set out within the Council's own Conservation Area Statement acknowledges the diversity and individuality of design, including roof form, across Camden Mews. The proposed flat roof is not out of place in this section of Camden Mews.

254-256 Camden Mews (2015/4553/P)

- 2.30 This property is located on the same side of Camden Mews and is slightly north-east of the Appeal Site. It is located in the same block of terraced properties as the appeal site.
- 2.31 Planning permission was granted for the reconfiguration, part demolition and extension of sheltered accommodation. The proposal included a full-width extension across 5 mews houses located on Camden Mews. Officers commented on the application that *"new openings would be introduced at second floor level however these would be suitably set back 1m from the façade and allow views already seen from lower level windows and is therefore of no greater detriment."*
- 2.32 Officers accepted the large second storey extension as *"a consistent parapet height relates to the adjoining mews scale and a setback top floor is consistent with the majority of properties in this section of Camden Mews."*



PRE-EXISTING (LEFT) AND APPROVED (RIGHT) FRONT ELEVATION (2015/4553/P)

- 2.33 The proposed form is further considered appropriate given the specific siting of the property and site arrangement; how the building will actually be perceived from both public and private views from within the Conservation Area.

d. Design

- 2.34 The site is handled as two related elements with varied material choices ensuring the visual 'grain' is restored. This is an important benefit of the scheme, when compared with the previously approved application which showed no respect for the grain of the street. A recessed plane forming the southern elevation element gives pre-eminence to the adjacent brick gable whilst the projecting first floor bay provides not only visual interest but a canopy to the entrance. This raised form assists the screening of the varied set back upper storey, ensuring the Mews scale is preserved at eye level.

- 2.35 The refined joinery treatment of the recessed plane enables the various access doors to be treated as a complete composition. The rear elevation follows a consistent logic in terms of materials and 'grain'. The roof storey is handled as a set-back pair of visually lightweight pavilions with a low key linking element. Set back from all boundaries the design ensures that visual gaps are created in a variegated and discreet roof profile largely screened from pedestrian eye level.
- 2.36 The balanced design facilitates internal space planning and contrasts very favourably with the approved scheme and recently approved scheme to the south. In each of these schemes the recessed elements actually expose the roof storey to eye level view in contradiction with the objective of maintaining the visible Mews scale.
- 2.37 The replacement dwellinghouse is far superior to the existing building. It will make a positive contribution to the established character and appearance of the conservation area through good quality design and robust external facing materials. The proposal will meet the aims of improving the character and appearance of the conservation area.
- 2.38 A copy of the officer's delegated report is attached at Appendix 2. In concluding that the proposed projecting bay window at first floor level is *"shapeless and overly simplistic form that doesn't respond to the delicate character of the historic gables element. It is considered excessively large and would not be subordinate to the host building"*, it is clear from the officers delegated report that a fundamental part of her assessment was to provide a direct comparison between the existing historic gable portion of the dwelling (to the north) and the proposed infill portion (to the south) – finding the latter different and more contemporary and therefore unacceptable.
- 2.39 We find this analysis illogical. It does not follow that the proposed infill is disproportionate or over-dominant simply because it is a modern design compared with the gable element it adjoins. The existing infill does not take any reference from the historic gable portion and it does not intend to.
- 2.40 However, of most interest is the officers concluding paragraph which states;
- "It is not considered that the architectural treatment of the rebuilt historic element and contemporary infill is translated to the new floor, and the **use of such a large amount of glazing is considered out of character along this section of the mews** which predominantly features brick with small elements of timber"* (emphasis added).
- 2.41 As highlighted in the Design and Access Statement, within the section entitled 'Street Photographs', which accompanied with application, there are large amounts of glazing along this section of the mews. Therefore, the Officer's assessment is unfounded and incorrect.
- 2.42 The officer's comparative assessment is further aggravated by this failure to give due consideration to the proposed upper floor in its context, and how it will actually be perceived. How the proposed dwelling will be read and perceived from public and private views is precisely the point that the appellants have made on numerous occasions to officers – submitting CGI images to understand the proposals and its context.



2.43 We consider that the proposed development has not been fully understood.

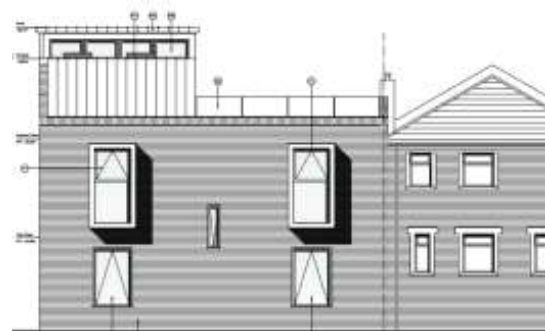
99 Camden Mews (2014/3917/P)

2.44 A previous application for the appeal site, as mentioned on page 4, proposed the erection of three storey residential building comprising 2 bedrooms (and artist studio on second floor) and associated terracing at second floor level following demolition of existing building was approved on 26/03/2015.

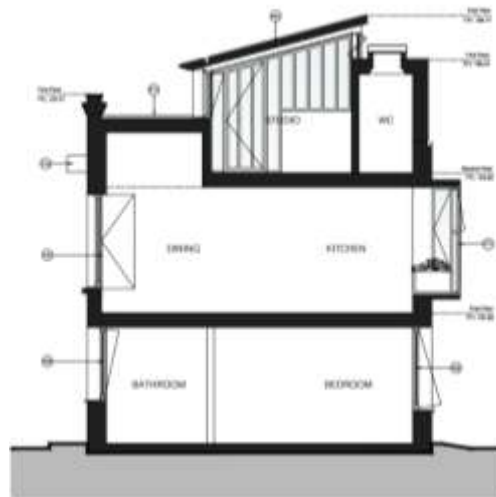
2.45 This application also proposed a replacement dwellinghouse. The most striking difference between this application (which the Council approved) and the current proposals involves the design of the front and rear elevations, the internal room layouts and the creation of a slightly larger 2nd floor. The previous application did not propose the creation of a basement level.



FRONT ELEVATION AS APPROVED 2014/3907/P



REAR ELEVATION AS APPROVED 2014/3904/P



SECTION AS APPROVED 2014/3904/P

- 2.46 The Case Officer deemed a modern design would preserve the character and appearance of the property and Conservation Area.

85 Camden Mews (2014/4726/P)

- | | |
|------|--|
| 2.47 | This property is located on the same side of Camden Mews and is slightly south-west of the Appeal Site. It is located in the same block of terraced properties as the appeal site. |
| 2.48 | Planning permission was granted for the erection of two storey side and rear extensions following demolition of existing garage and rear extension, replacement roof. |
| 2.49 | The approved extension takes little inspiration from the host building. This was listed as one of the Officer's concerns regarding the proposal for the appeal site. |



PRE-EXISTING (LEFT) AND APPROVED (RIGHT) FRONT ELEVATION (2014/4726/P)

- 2.50 Having regard to the above, and the reason for refusal, we maintain that the proposed dwelling, at 2.5 storeys, with an infill and upper storey of modern design is wholly appropriate in keeping with the established context of the Conservation Area and does not constitute either a disproportionate or over-dominant form of development.

Reasons for Refusal 3 and 4

- 2.51 The third and fourth reasons for refusal state that;

"In the absence of a legal agreement securing a Construction Management Plan, would be likely to give rise to conflicts with other road users and be detrimental to the amenities of the area generally, contrary to Policy T4 of the Camden Local Plan 2017."

"In the absence of a legal agreement to secure highway contributions to undertake repair works outside the application site, would fail to restore the pedestrian environment to an acceptable condition, contrary to Policies T1 and T3 of the Camden Local Plan 2017."

- 2.52 It should be noted at this juncture, that a legal agreement was discussed and forwarded to the Council during the course of the application. The agreement included the requirement for a Construction Management Plan. The applicant was in agreement that such a plan was required. Therefore, the third reason for refusal is entirely incorrect.

3.0 SUMMARY AND CONCLUSIONS

- 3.1 This Statement of Case accompanies an appeal against the decision of the London Borough of Camden to refuse planning application ref: 2017/5313/P.
- 3.2 The refusal of the application based on matters of, design is considered to be unsubstantiated given the scale and plurality of different buildings seen along Camden Mews. With regard to the absence of legal agreements we consider that this can be addressed by submission of a Unilateral Undertaking. The appellants will be submitting such an Undertaking in the near future.
- 3.3 In light of the significant findings of this report, we respectfully request that this appeal be allowed.

APPENDIX 1

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Application Ref: **2017/5313/P**
Please ask for: **Laura Hazelton**
Telephone: 020 7974 1017

23 February 2018

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Refused

Address:
99 Camden Mews
London
NW1 9BU

Proposal: Demolition of existing part 1 storey/part 2 storey dwellinghouse and erection of replacement 3 storey dwellinghouse with setback 2nd floor and terrace.

Drawing Nos: 0316/CM/001, 0316/CM/100, 0316/CM/101, 0316/CM/102, 0316/CM/111 rev A, 0316/CM/112, 0316/CM/113, 0316/CM/114, 0316/CM/200, 0316/CM/201, 0316/CM/210 rev C, 0316/CM/211, 0316/CM/212, 0316/CM/300, 0316/CM/301, 0316/CM/310, 0316/CM/311, 0316/CM/410, 0316/CM/411, Energy and sustainability statement dated 16 October 2017, Design and Access Statement dated September 2017, Daylight, Sunlight & Overshadowing Report dated September 2017, Heritage Assessment dated September 2017, Planning Statement dated September 2017 and Building Condition report prepared by Michael Barclay Partnership.

The Council has considered your application and decided to **refuse** planning permission for the following reason(s):

Reason(s) for Refusal

- 1 The proposed demolition, by reason of the loss of the existing building which makes a positive contribution to the Camden Square Conservation Area, and a lack of



INVESTOR IN PEOPLE

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Executive Director Supporting Communities

justification for its demolition or exploration of its retention, would cause harm to the character and appearance of the conservation area, contrary to Policy D2 of the Camden Local Plan 2017.

- 2 The proposed replacement dwelling, by virtue of its scale, massing, form and detailed design, would cause harm to the character and appearance of the street scene and the wider area and would fail to preserve or enhance the character and appearance of the Camden Square Conservation Area, contrary to Policies D1 and D2 of the Camden Local Plan 2017.
- 3 The proposed development, in the absence of a legal agreement securing a Construction Management Plan, would be likely to give rise to conflicts with other road users and be detrimental to the amenities of the area generally, contrary to Policy T4 of the Camden Local Plan 2017.
- 4 The proposed development, in the absence of a legal agreement to secure highway contributions to undertake repair works outside the application site, would fail to restore the pedestrian environment to an acceptable condition, contrary to Policies T1 and T3 of the Camden Local Plan 2017.

Informative(s):

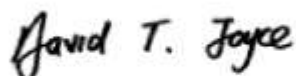
- 1 Without prejudice to any future application or appeal, the applicant is advised that reasons for refusal Nos. 3 and 4 could be overcome by entering into a Section 106 Legal Agreement for a scheme that was in all other respects acceptable.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully



David Joyce
Director of Regeneration and Planning

Executive Director Supporting Communities

APPENDIX 2

Delegated Report (Refusal)		Analysis sheet		Expiry Date:	06/12/2017
		N/A / attached		Consultation Expiry Date:	09/11/2018
Officer			Application Number(s)		
Laura Hazelton			2017/5313/P		
Application Address			Drawing Numbers		
99, Camden Mews London NW1 9BU			Please refer to decision notice		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
Demolition of existing part 1 storey/part 2 storey dwellinghouse and erection of replacement 3 storey dwellinghouse with second floor and terrace.					
Recommendation(s):	Refuse planning permission				
Application Type:	Full Planning Permission				

Conditions or Reasons for Refusal:	Refer to Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	00	No. of responses	04	No. of objections	04
			No. electronic	00		
Summary of consultation responses:	<p>3 site notices were displayed on Camden Mews, Camden Road and Camden Park Road between 18/10/2017 to 08/11/2017. The application was advertised in the local press on 19/10/2017 (expiring 09/11/2017).</p> <p>Objections were received from the owner/occupiers of nos. 78, 82, 84, 95, 101 and 103 Camden Mews on the following grounds:</p> <p>Design</p> <ul style="list-style-type: none">• Poor design – no underlying conceptual idea or recognition of the character and significance of the existing building.• The timber introduces an alien material and divides the building into 3 parts when it was formally 2 destroying the integrity and the character of the original composition.• The design does harm to the conservation area by destroying the existing and original elevation to Camden Mews. These two buildings, 99A and 99, form a whole to the Mews and the insertion of a timber infill removes and breaks this composition.• The design does harm to the conservation area by destroying the existing and original elevation to Camden Mews. These two buildings, 99A and 99 form a whole to the Mews and the insertion of a timber infill removes and breaks this composition. <p>Amenity</p> <ul style="list-style-type: none">• Daylight and sunlight loss• Overshadowing to ground floor windows of neighbouring properties.• Sense of enclosure in the Mews and neighbouring properties. <p>Other issues</p> <ul style="list-style-type: none">• No pre-application consultations with neighbours. <p><i>Officer response</i></p> <p><i>Design – please refer to section 4 for full design assessment.</i></p> <p><i>Amenity – please refer to section 5 for full assessment.</i></p> <p><i>Other issues – Although the Council recommends pre-application discussion with neighbouring residents, it is not a statutory requirement.</i></p>					

<p>CAAC comments:</p>	<p>The Camden Square Conservation Area Advisory Committee (CAAC) objected, and provided the following comments:</p> <ul style="list-style-type: none"> • The drawings are technically inadequate. • More sections are needed, particularly through the north eastern gable fronted part of the building where the roof extension is more prominent than in Section A, and through the gaps on either side of the front projecting square central bay, which would show a lack of adequate balustrading. • More detail is needed for the thin, completely flat roofs to be convincing. • Internally, the room planning is good and the spaces appear generous and well lit. • We are concerned that the height and volume of the proposal appear inappropriate in relation to neighbouring buildings. • From the information given, it is difficult to judge how prominent the larger portion of the top storey (behind the front gable) would be from a 1.5M height on the opposite side of Camden Mews. • The sole diagonal photomontage shows dense planting covering the top storey, and it is beyond planning control to ensure that this appears and is maintained. An angled cross-section would clarify this. • From the rear, the top storey appears quite dominant, hardly convincing were left pale in the coloured rear elevation although part is set back only 300mm. • The scale of the projecting first floor front bay is rather larger than adjacent properties, but there is a variety of scales within the mews as a whole. • The recessed central section clad in timber, which appears to be set behind the 'original' brickwork, provides a successful articulation. • The stock brickwork, zinc sheet and Accoya timber are durable materials which support the variety of materials in the mews. • The levels of light and direct sun are not maintained and this is unacceptable • The nearly complete third storey would significantly increase overshadowing of the garden of the hostel behind. • The light pollution and loss of privacy through the large windows in the rear elevation would be obtrusive and spoil any sense of privacy for those in the hostel behind • The proposal is critically lacking in specific information. • The rooftop development cannot be built as drawn and more information is needed to establish the true prominence of the top storey. <p><i>Officer Response</i></p> <p><i>Please refer to sections 4 and 5 for full assessment of design and amenity impacts.</i></p>
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Site Description

The site contains a part one, part two storey dwellinghouse, located on the northern side of Camden Mews. This site is located in the Camden Square Conservation Area. Camden Mews runs to the rear of the properties on Camden Road, originally serving as stables and coach houses for these large dwellings. The Camden Square Conservation Area Statement (CAS) describes Camden Mews:

"The majority of plots have been built as independent dwellings and/or workshops at the ends of the gardens of the frontage houses. The original character of the mews as subsidiary to the Square has largely been respected in the modern redevelopments, which are generally of two or two-and-a-half storeys and of a high design standard. They take an imaginative approach to development in the spirit of a mews' scale, form, and variety of styles and materials."

"...a unique mix of nineteenth, twentieth and twenty-first century ideas of the mews concept, from functional service areas to exemplars of urban living."

The application site was originally constructed as one of two 2 storey stable blocks with gables facing the street with a small courtyard in between. The larger southern block is now under different ownership (no. 99a). In 1977, the northern block and courtyard (the application site) were converted to make a studio/workshop with the associated erection of a single storey infill extension covering the courtyard, with a terrace above.

The street facing gable frontage at no.99, along with the adjoining building at no.99a form an attractive composition that is recognised in the CAS as making a positive contribution to the character and appearance of the Camden Square Conservation Area. These two buildings are the only properties in this part of the mews that retain their character as a 19th century ancillary stable block. The varied scale created by the composition of the taller gables with a lower element between is also considered to contribute towards the interesting and varied skyline along this section of Camden Mews.

The CAS identifies that 'the trend to intensify residential development means that building heights are under pressure to increase in the mews and care will be needed to ensure that this does not become the norm and that the original mews' scale remains dominant' (p.48).

The building occupies the full extent of the site, containing an ancillary artist's studio with kitchen and bathroom at ground floor level with a bedroom and roof terrace at first floor level. There are residential dwellings located opposite and to either side of the site. To the rear is a four storey building used as a hostel (248-250 Camden Road).

Relevant History

Application site

CTP/G13/13/12/24630 – Internal and external alterations to the single storey and 2 storey part of 99 Camden Mews and the provision of a roof terrace at first floor level, in connection with the use of this part of the property as a sculptor's studio. – Granted 08/07/1977.

G13/13/12/34845 – Erection of an extension at first floor level to provide a general purpose room for use in connection with the sculpture's studio. – Granted 26/11/1982.

2014/3907/P – Erection of three storey residential building comprising 2 bedrooms (and artist studio on second floor) and associated terracing at second floor level following demolition of existing building. Granted Subject to a Section 106 Legal Agreement 06/07/2015. This application is due to expire on 06/07/2018. Although no pre-commencement conditions were secured, Council records show that none of the pre-commencement obligations secured by S106 have been discharged.

Other relevant applications on Camden Mews

102 Camden Mews

2014/5589/P – Demolition of garage and associated excavation works for the erection of a 3 storey extension and basement floor level beneath footprint. Granted 23/11/2015.

74 Camden Mews

2014/3258/P - Single storey roof extension, including replacement of rear 1st floor window. Granted 30/07/2014.

59 Camden Mews

2015/4564/P – Erection of 3 storey family dwelling following demolition of existing 2 storey family dwelling – Refused 08/02/2016 for the following reason:

The proposed development, by reason of its bulk, massing, footprint and detailed design would fail to preserve or enhance the character and appearance of the Camden Square Conservation Area contrary to policies CS14 (Promoting high quality places and conserving our heritage) of the London Borough of Camden Local Development Framework Core Strategy and policies DP24 (Securing high quality design) and DP25 (Conserving Camden's heritage) of the London Borough of Camden Local Development Framework Development Policies.

57 Camden Mews

2015/5046/P - Proposed extensions to existing single family house and proposed new house (including additional storey) – Recommended for approval at Members Briefing on 11/07/2016 but awaiting S106 Legal Agreement.

97 Camden Mews

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

The subsequent planning appeal (APP/X5210/W/16/3143316 / 2015/0271/P) was dismissed. Within the report the Planning Inspector clearly acknowledged that *'the first floor gap caused by the building's single storey form contributes to the varied skyline that forms an integral part of the mews character' (paragraph 6) and that 'the removal of this break would in itself constitute a loss of visual character.'* The Inspector also cited that while the proposed 2nd storey would be largely shielded from public views at ground level, the 2nd storey would *'nevertheless be visible from houses on the opposite side of the street' and the height and bulk would contrast with the adjacent lower pitched roof at 99A and the resulting effect would be to 'add to the overall harm to the character and appearance of the conservation area' (paragraph 9).*

The Inspector's report concluded that the proposals would fail to preserve either the character or the appearance of the conservation area and would therefore conflict with the objectives of the Framework, policy CS14 in 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 and would constitute less than substantial harm to the character and appearance of the conservation area in terms of paragraph 134 of the NPPF.

2016/3638/P – Change of use from motor repair garage (B2) to residential (C3) to provide 2 x 3 storey, 3 bedroom houses following demolition of the existing building with the inclusion of terrace to the ground floor rear, terrace with balcony to the first floor and second floor towards the front with associated soft landscaping – Granted Subject to a Section 106 Legal Agreement 17/01/2017.

Relevant policies

National Planning Policy Framework 2012

The London Plan March 2016

Camden Local Plan 2017

Policy H3 (Protecting existing homes)

Policy H6 (Housing choice and mix)

Policy H7 (Large and small Homes)

Policy A1 (Managing the impact of development)

Policy A4 (Noise and vibration)

Policy CC1 (Climate change mitigation)

Policy T1 (Prioritising walking, cycling and public transport)

Policy T2 (Parking and car-free development)

Policy T4 (Sustainable movement of goods and materials)

Policy DM1 (Delivery and monitoring)

Camden Planning Guidance

CPG1 (Design) 2015

CPG2 (Housing) 2016

CPG3 (Sustainability) 2015

CPG6 (Amenity) 2011

CPG7 (Transport) 2011

CPG8 (Planning obligations) 2015

Camden Square Conservation Area Statement 2011

Assessment

1.0 Proposal

- 1.1 Planning permission is sought for the demolition of the existing part-one, part-two storey dwelling house (C3 use), and the erection of a replacement three storey dwelling house.
- 1.2 The replacement dwelling would have the same footprint as the existing building, with a new 3rd floor level set back from the front elevation to provide 14.3sqm of external amenity space at this level.
- 1.3 The existing two storey gabled element would be rebuilt in facsimile, with an infill two storey extension with large projecting window at first floor, clad in timber and zinc sheeting. The proposal includes the erection of a new second floor level which would feature two separate glazed modules measuring 3.5m x 3.2m and 3.5m x 4.6m, connected by a glazed link section. The second floor would be set back from the front elevation by 2.4m, increasing to 3.5m.
- 1.4 A bicycle and refuse store would be provided at ground floor level, with separate access directly onto Camden Mews.

Revisions

- 1.5 The proposals were revised to separate the bin and cycle store into two separate stores, and to change the access doors to open inwards rather than onto the street.

2.0 Assessment

- 2.1 The principle considerations in the assessment of this application are as follows:

- Principle of demolition and land use;
- Design and impact of the development on the character of the mews and conservation area;
- Impact on the amenity of adjoining occupiers;
- Standard of accommodation;
- Sustainability; and
- Highways and transport.

3.0 Principle of demolition and land use

- 3.1 It is acknowledged that the demolition of the application building was allowed as part of the previous permission (reference 2014/3907/P). As part of that application, and the current application, a building condition report was submitted prepared by Michael Barclay Partnership (consulting engineers) dated February 2015.
- 3.2 The report states that the front, rear, and flank walls are in a poor condition, damaged by the effects of both subsidence and poor restraints, and large areas have been altered, rebuilt or extended. The report concludes that the walls should be rebuilt on appropriate foundations rather than attempting to keep them; however, it acknowledges that if it is necessary to retain the front

elevation for reasons of conservation, attention should be given to tying it back and 'checking its foundations'.

3.3 Since the previous approval, the Council has adopted a new Local Plan in June 2017. Policy D2 (Heritage) states that in order to maintain the character of Camden's conservation areas, the Council will resist the total or substantial demolition of an unlisted building that makes a positive contribution to the character or appearance of a conservation area unless circumstances are shown that outweigh the case for retention (paragraph 7.49). In addition, proposals for demolition and reconstruction should be justified in terms of the optimisation of resources and energy use in comparison with the existing building (Policy CC1 - Climate Change Mitigation). Policy CC1 also requires all proposals that involve substantial demolition to demonstrate that it is not possible to retain and improve the existing building.

3.4 Although it is recognised that the previous consent allowed the total demolition of the building, this was decided under a different plan context and is given limited weight as a fallback position and there is not a realistic chance of it coming forward. The Council's current Local Plan expects the applicant to fully justify the demolition of a building that makes a positive contribution to a conservation area, having regard to the National Planning Policy Framework, Camden's conservation area statements, appraisals and management strategies and any other relevant supplementary guidance produced by the Council. In this case, although a building condition report has been submitted, it is not considered that a full investigation of the repair and restoration of the building has been conducted, nor an assessment of whether it would be possible to retain and improve the existing building. The report makes certain recommendations regarding measures that would be required to preserve the building, but the feasibility of these has not been explored further.

3.5 Without detailed information exploring the possibility of retaining the existing building, the applicant is not considered to have sufficiently justified the total demolition of a positive contributor, contrary to policies D1 and CC1.

Affordable Housing

3.6 Policy H4 of the Camden Local Plan requires a proportion of the housing provided to be affordable in accordance with the sliding scale. Targets are based on an assessment of development capacity whereby 100sqm (GIA) of housing floorspace is generally considered to create capacity for one home. Targets are applied to additional residential floorspace proposed. However, in this instance the new residential floorspace uplift would not exceed more than 100sqm and the Council would therefore not seek a contribution towards affordable housing.

4.0 Design and impact of the development on the character of the mews and conservation area

Context

4.1 Camden Mews is a unique, cobbled, narrow mews, which runs from York Way in the north down to Rochester Square. It is located within the Camden Square Conservation Area. The mews character is a mix of 19th, 20th and 21st Century ideas – from functional service areas to exemplars of urban living.

4.2 Many of the properties were originally constructed as artists/architects studios, which has resulted

in a unique character of inventiveness and variety along the mews. The majority of plots have been built as independent dwellings and/or workshops at the ends of the gardens of the frontage houses.

4.3 The original character of the mews as subsidiary to Camden Square has largely been respected in the more modern redevelopments, which are generally of two or two-and-a-half storeys and of a high design quality. They take an imaginative approach to development in the spirit of a mews' scale, form, and variety of styles and materials.

4.4 The application building is described in the Camden Square Conservation Area Statement as making a positive contribution to the character of the conservation area; i.e. these buildings relate to the core reason for the conservation area designation and significance. The Conservation Area Statement notes that the general presumption is in favour of retaining all positive buildings and any proposals involving their demolition will require specific justification.

Impact of the development on the character and appearance of the conservation area

4.5 Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, under s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act [ERR] 2013.

4.6 Although the building (99 and 99A Camden Mews) now consists of two separate properties it is appropriate to treat it as a single architectural composition for the purpose of this application, particularly given the prominent pair of gables. The open space between these two gabled elements would be infilled to create additional residential accommodation. The infill of this area is considered acceptable, owing to the existing terrace fencing in this location which gives the impression of additional massing at this level and the fact that the new extension would only project 460mm higher than the existing fence.

4.7 The proposal includes the like for like re-building of the two-storey gabled element in facsimile, with authentic replication of existing detailing such as the projecting brick courses to the gable and the reinstatement of the high level lifting beam. If the principle of the demolition of the building was considered acceptable, then the like-for-like rebuilding of this part of the building would be supported. If the proposals were considered acceptable in all other regards, the council would need to secure further details and information of these works (detailed section drawings, materials, brick details (mortar and pointing)) by condition.

4.8 The infill extension and new second floor would be more contemporary in appearance, with the infill clad in timber, with a very large projecting bay/oriel window at first floor level finished in zinc with timber slatting. This element would be slightly recessed, helping to maintain the prominence of the gabled section which is welcomed. The second floor extension would feature a large amount of glazing, with elements of timber cladding and grey powder coated metal window frames. The second floor would be setback from the front elevation by 2.4m, increasing to 3.5m to allow for a roof terrace in this location. The second floor would be set in from the boundary wall adjacent to no.101 by 563mm and from the boundary with no.99a by 1.1m. It is split into two separate elements measuring 3.5m x 3.2m and 3.5m x 4.6m, connected by a glazed link section. Although the extension has been well setback from the front elevation, it would only be setback from the rear elevation by 537mm and may appear rather dominant from the rear, especially

given the fact that the two blocks would be clad entirely in zinc sheet panelling.

4.9 In terms of detailed design, whilst the use of timber and zinc cladding to the infill element may be acceptable in this location in principle (subject to additional detailed information of these materials), the projecting square bay window is considered to be a shapeless and overly simplistic form that doesn't respond to the delicate character of the historic gabled element. It is considered to be excessively large and would not be subordinate to the host building.

4.10 At second floor level, there is a small amount of timber cladding to the front elevation, but otherwise, the extension is predominantly glazed. It is not considered that the architectural treatment of the rebuilt historic element and contemporary infill is translated to the new floor, and the use of such a large amount of glazing is considered out of character along this section of the mews which predominantly features brick with small elements of timber.

4.11 To the rear elevation, the building would be predominantly brick, with timber cladding to the infill section, with another projecting zinc-clad window. The second floor would be clad in zinc sheet panel. This elevation would feature large window openings at ground and first floor level which is considered out of character with the host building and surrounding Mews.

4.12 Overall, it is not considered that the application demonstrates that the proposals would be of a sufficiently high quality in this sensitive location, with the submitted drawings providing insufficient detail of the design, materials and colours. Consequently, the proposals would not preserve or enhance the character and appearance of the conservation area, and would be contrary to policies D1 and D2 of the Camden Local Plan.

5.0 Impact on the amenity of adjoining occupiers

5.1 Policy A1 and CPG6 (Amenity) are relevant with regards to the impact on the amenity of residential properties in the area. Policy A1 seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered. This policy seeks to ensure that development protects the quality of life of occupiers and neighbours by only granting permission to development that would not harm the amenity of neighbouring residents. This includes privacy, outlook, daylight and sunlight.

5.2 The nearest neighbouring properties that are likely to be affected are 248-250 Camden Road to the north west of the site, in use as a hostel, and 80a to 86 Camden Mews to the south east of the site, in use as residential dwellings. All other nearby residential properties are considered to be sufficiently removed from the application site so as not to be affected.

Outlook

5.3 The replacement dwelling would sit within the existing building's footprint. Any impact on neighbouring outlook would be as a result of the increased bulk at first floor level from the infill extension, and the new floor at second floor level. The impact of the first floor infill extension is considered to be limited, given the fact that the new first floor would measure just 500mm taller than the existing timber boarding at this level.

5.4 The new second floor extension would be setback from the front elevation by a minimum of 2.4m, increasing to 3.5m. Although the extension would undoubtedly be visible from neighbouring

properties, and would *alter* their outlook, it is not considered to cause material harm, especially given the character of the nearby properties, many of which feature an element of development at second floor level.

Overlooking

5.5 The proposals would introduce new, larger windows at ground and first floor level, as well as new floor at second floor level with large glazed windows to the front facing Camden Mews. The new north west facing windows introduced to the rear elevation are not considered to cause harm to neighbouring privacy, as the nearest residential property, 248-250 Camden Road is located approximately 20m away. Camden Planning Guidance (CPG6 – Amenity) recommends a minimum distance of at least 18m between the windows of habitable rooms of different units that directly face each other.

5.6 Of greater concern is the new first and second floor windows to the front elevation which would face 80b and 82 Camden Mews at a distance of approximately 8m away. However, the new second floor windows would serve an ensuite bathroom and would therefore be obscure glazing (if planning permission is granted this would be secured by condition), and the remaining windows predominantly serve an internal stairwell. The new second floor arrangement is therefore not considered to result in harmful overlooking of 80-82 Camden Mews.

5.7 Although a new terrace would be introduced at second floor level, this is not considered to present increased overlooking issues when compared to the existing arrangement with an external terrace at first floor level. Furthermore, the proposed terrace features large planters to the front, which would prevent people from standing close to the front elevation, and help to minimise potential overlooking. If the proposals were considered acceptable in all other regards, this could be controlled via planning condition. The positioning of the terrace in this location also means the new second floor would be significantly setback from the front elevation.

Daylight/Sunlight

5.8 In order to assess the potential impact of the proposed development on the levels of natural daylight enjoyed by neighbouring occupiers, a Daylight, Sunlight and Overshadowing report has been submitted, prepared by XCO2.

5.9 The report has tested the impact of the development on the daylight and sunlight to neighbouring windows using the 25 degree line test, the vertical sky component (VSC) test and sunlight/overshadowing test.

5.10 58 neighbouring windows were identified as being in close proximity to the application site and included within the analysis. These were at 248-250 Camden Road to the north west of the site, and 78-86 Camden Mews to the south east of the site.

5.11 To determine the impact on daylight levels, the 25 degree line test was initially used which is a basic test whereby a plane is drawn at 25 degrees from the horizontal, at the centre of an existing window. If the new development intersects with this plane, the internal daylight levels of the surrounding windows may be reduced. When an obstruction of the 25-degree plane occurs, a more detailed assessment involving the Vertical Sky Component (VSC) of the affected window would need to be carried out. This test found that 50 out of 58 windows passed the test.

5.12 Of the remaining 8 windows (ground floor windows serving 78-86 Camden Mews), all windows achieved relative VSCs over 0.8 times their former value. This test was carried out in accordance with BRE's "Site Layout Planning for Daylight and Sunlight, A Guide to Good Practice". The BRE guidelines suggest that a reduction in value greater than 20% (or a 0.8 times their former value) of the existing VSC – would become noticeable to occupants. It is therefore considered that development would not be likely to have any significant impact on the daylight received by neighbouring properties.

5.13 To assess impact on sunlight levels, the Annual Probable Sunlight Hour (APSH) test was used. This test should be applied to all main living rooms which have a window which faces within 90 degrees of due south, and BRE guidelines state that the window should receive at least 25% of annual probable Sunlight Hours (APSH) throughout the year; 5% of APSH during the winter months; not less than 80% of its former sunlight hours during either period; and not more than a 4% reduction in sunlight received over the whole year. The report identified a total of 25 windows located to the north of the proposed development at 248-250 Camden Road, and therefore potentially vulnerable to an impact on sunlight availability. All windows were found to pass the initial 25 degree line test and therefore no additional testing was required.

5.14 To assess potential overshadowing of neighbouring outdoor amenity spaces a solar access analysis was undertaken for 2 spaces for 24 hours on 21st March. The BRE states that for an amenity space to "appear adequately sunlit throughout the year, at least half of the area should receive at least 2 hours of sunlight on 21 March". Where this is not achieved, the difference between the area achieving 2 hours of sun on 21 March should be no less than 0.8 times its former value. The assessment found that both spaces are predicted to have a minimum of 2 hours of sunlight on 21 March over at least 50% of the amenity space, in line with BRE recommendations.

5.15 Overall, the proposed development is not considered to have a harmful impact on neighbouring daylight or sunlight, and the proposals are acceptable in this regard.

6.0 Standard of accommodation

6.1 The Council expects development to provide high quality housing that provides secure, well-lit accommodation with well-designed layouts and rooms in accordance with guidance provided by CPG2 (Housing). All development must meet the Ministry of Housing, Communities and Local Government (MHCLG) nationally described space standards.

6.2 The proposed replacement dwelling would be dual-aspect, ensuring all habitable would be well lit and ventilation.

6.3 The dwelling would be a 2 bedroom, 4 person unit, with potential to convert the studio into a third double bedroom. With an overall floorspace of 151.51sqm, which would exceed the requirement of both a 2 bedroom, 4 person dwelling (79sqm) and a bedroom, 6 person, 3 storey dwelling (108sqm). All bedrooms would exceed the minimum floor area requirement of 11.5sqm, and ample internal storage is provided.

6.4 As such, the proposal is considered to provide a good level of amenity for future occupiers and would comply with policy H6 and Camden Planning Guidance.

7.0 Energy and Sustainability

7.1 Policy CC1 requires all development to minimise the effects of climate change and encourages all developments to meet the highest feasible environmental standards that are financially viable during construction and occupation. Policy CC2 requires development to be resilient to climate change by adopting climate change adaptation measures.

7.2 The application is accompanied by an energy statement, prepared by eb7. To achieve reductions in energy demand, the development includes the following measures:

- Orientation and passive design – passive solar gain control is achieved via the use of solar control glazing, and advantage is taken of the north westerly aspect with larger areas of glazing incorporated to enhance internal daylight levels and reduce reliance on artificial lighting. The property is also dual aspect which would enable cross ventilation and passive cooling.
- Heating system – The primary heating system will consist of high efficiency condensing gas boilers, which will in turn provide domestic heating and hot water via a highly insulated low loss cylinder for DHW storage.
- Fabric heat loss – insulation measures are to be utilised to ensure the calculated u values exceed the building regulation minima.
- Lighting and applications – 100% of internal light fittings to be low-energy/compact fluorescent fittings and LED lighting.

7.3 The energy statement notes that the use of wind power, solar thermal systems, biomass boilers, ground source heat pumps, air source heat pumps, combined heat and power (CHP) systems and connection to a district energy network (DEN) would not be feasible. However, the energy statement does propose the use of solar PV panels.

7.4 Combined with the measures outlined in paragraph 7.2, this would result in a reduction of 20.18% under the Building Regulations AD Part L, which would meet the required target of 19%.

7.5 The energy statement also notes that the proposed building would be constructed with high performance materials and measures would be taken to ensure the dwelling meets the required level of 105 litres daily water usage per person. If the application was acceptable in all other respects, a condition would be attached to secure this, along with carbon and renewable energy savings.

8.0 Highways and Transport

Car parking

8.1 Policy T2 of the Camden Local Plan states that the Council will limit the availability of parking and require all new developments in the borough to be car-free. In redevelopment schemes, the Council will consider retaining or re-providing existing parking provision where it can be demonstrated that the existing occupiers are to return to the address when the development is completed. The proposal consists of the demolition of the existing residential dwelling, and the erection of a new three storey dwellinghouse (C3). The existing occupiers of the dwelling will be moving back into the property after the development, therefore the councils car-free development policy does not apply.

Cycle parking

8.2 Policy T1 of the Camden Local Plan requires development to provide cycle parking facilities in accordance with the minimum requirements of the London Plan and the design requirements outlined in CPG7 (Transport).

8.3 The supporting information and plans show 2 cycle parking spaces will be provided on the ground floor in a secure cycle store. The number of cycle spaces and layout is compliant with both the London Plan and CPG7. If the application was otherwise considered to be acceptable, a suitable planning condition could require the provision of the cycle parking spaces prior to occupation, and their retention in perpetuity thereafter.

Managing the impacts of construction on the surrounding highway network

8.4 Policies A1 and T4 state that Construction Management Plans should be secured to demonstrate how a development will minimise impacts from the movement of goods and materials during the construction process. The policies also relate to how development is connected to the highway network. For some developments, this may require control over how the development is implemented (including demolition and construction) through a Construction Management Plan (CMP).

8.5 While the development is not considered to be a large scale development, due to the location of the site and the nature of the works, a CMP would need to be secured as a Section 106 planning obligation if the application was considered acceptable. A CMP (in the councils pro-forma) would need to be submitted once a Principal Contractor has been appointed, and would need to be approved by the Council prior to any works commencing on site.

8.6 A CMP Implementation Support Contribution of £3,136 would also need to be secured as a Section 106 planning obligation if the proposals were considered acceptable. However, as the application is recommended for refusal, the absence of such a legal agreement forms a further reason for the refusal of the application, although an informative will also specify that without prejudice to any future application or appeal, this reason for refusal could be overcome by entering into a legal agreement in the context of a scheme acceptable in all other respects.

Highway and Public Realm Improvements directly adjacent to the site

8.7 Paragraph 6.11 (Policy A1) of the Camden Local Plan states that the Council will repair any construction damage to transport infrastructure or landscaping and reinstate all affected transport network links, road and footway surfaces at the developer's expense. The footway and carriageway directly adjacent to the site could be damaged as a direct result of the proposed works. The Council would therefore need to secure a financial contribution for highway works as a section 106 planning obligation if the proposals were considered acceptable in all other regards.

8.8 In the absence of such a legal agreement this forms a further reason for the refusal of the application although an informative will also specify that without prejudice to any future application or appeal, this reason for refusal could be overcome by entering into a legal agreement in the context of a scheme acceptable in all other respects.

9.0 Conclusion

9.1 The proposal is not considered acceptable for the following reasons:

9.2 The proposed demolition, by reason of the loss of the existing building which makes a positive contribution to the Camden Square Conservation Area, and a lack of justification for its demolition or exploration of its retention, would cause harm to the character and appearance of the conservation area, contrary to Policy D2 of the Camden Local Plan 2017.

9.3 The proposed replacement dwelling, by virtue of its scale, massing, form and detailed design, would cause harm to the character and appearance of the street scene and the wider area and would fail to preserve or enhance the character and appearance of the Camden Square Conservation Area, contrary to Policies D1 and D2 of the Camden Local Plan 2017.

9.4 The proposed development, in the absence of a legal agreement securing a Construction Management Plan, would be likely to give rise to conflicts with other road users and be detrimental to the amenities of the area generally, contrary to Policy T4 of the Camden Local Plan 2017.

9.5 The proposed development, in the absence of a legal agreement to secure highway contributions to undertake repair works outside the application site, would fail to restore the pedestrian environment to an acceptable condition, contrary to Policies T1 and T3 of the Camden Local Plan 2017.

10.0 Recommendation

10.1 Refuse planning permission.