

Application ref: 2017/4562/P  
Contact: Rob Tulloch  
Tel: 020 7974 2516  
Date: 10 August 2018

**Development Management**  
Regeneration and Planning  
London Borough of Camden  
Town Hall  
Judd Street  
London  
WC1H 9JE  
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FT Architects Ltd  
Hamilton House  
London  
WC1H 9BB

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Full Planning Permission Granted Subject to a Section 106 Legal Agreement**

Address:  
**28 King's Mews**  
**LONDON**  
**WC1N 2JB**

Proposal:  
Erection of a four storey plus basement dwelling.  
Drawing Nos: Site Location Plan 200\_03\_100; 200\_03\_101; 200\_03\_01; 200\_03\_02;  
200\_03\_03; 200\_03\_04; 200\_03\_05; 200\_03\_06; 200\_03\_20 Rev P2; 200\_03\_21 Rev P2;  
200\_03\_22 Rev P2; 200\_03\_23 Rev P2; 200\_03\_24 Rev P2; 200\_03\_25 Rev P2; Design  
and Access Statement by FT Architects dated August 2017; Daylight Sunlight Report by  
Waldrams Ltd dated 26/01/2017

The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):

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

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

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan 200\_03\_100; 200\_03\_101; 200\_03\_01; 200\_03\_02; 200\_03\_03; 200\_03\_04; 200\_03\_05; 200\_03\_06; 200\_03\_20 Rev P2; 200\_03\_21 Rev P2; 200\_03\_22 Rev P2; 200\_03\_23 Rev P2; 200\_03\_24 Rev P2; 200\_03\_25 Rev P2; Design and Access Statement by FT Architects dated August 2017; Daylight Sunlight Report by Waldrams Ltd dated 26/01/2017.

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

- 3 The details of the facing materials to be used on the building shall not be otherwise than as those submitted to and approved by the Council before any work is commenced on the relevant part of the development. The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policies D1 and D2 of the London Borough of Camden Local Plan 2017.

- 4 The first, second and third floor windows to the rear elevation facing Gray's Inn Road are to be obscure glazed and permanently retained as such thereafter.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of policy A1 of the London Borough of Camden Local Plan 2017.

- 5 Prior to first occupation of the building, detailed plans showing the location and extent of solar water heaters to be installed on the building shall have been submitted to and approved by the Local Planning Authority in writing. The equipment shall be installed in full accordance with the details approved by the Local Planning Authority and permanently retained and maintained thereafter.

Reason: To ensure the development provides adequate on-site renewable energy facilities in accordance with the requirements of Policies G1, CC1 and CC2 of the London Borough of Camden Local Plan 2017.

- 6 Prior to commencement of development, full details in respect of the living roof in the area indicated on the approved roof plan shall be submitted to and approved by the local planning authority. The details shall include
- i. a detailed scheme of maintenance
  - ii. sections at a scale of 1:20 with manufacturers details demonstrating the construction and materials used
  - iii. full details of planting species and density

The living roof shall be fully provided in accordance with the approved details prior to first occupation and thereafter retained and maintained in accordance with the approved scheme.

Reason: In order to ensure the development undertakes reasonable measures to take account of biodiversity and the water environment in accordance with policies G1, CC1, CC2, CC3, D1, D2 and A3 of the London Borough of Camden Local Plan

2017.

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

Reason: To ensure the development contributes to minimising the need for further water infrastructure in an area of water stress in accordance with Policies CC1, CC2, CC3 of the London Borough of Camden Local Plan 2017.

- 8 Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 as amended by the (No. 2) (England) Order 2008 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 G1, D1, D2 and A1 of London Borough of Camden Local Plan 2017.

- 9 The development shall not be occupied until an archaeological site investigation and post investigation assessment has been completed in accordance with the programme set out in the approved Written Scheme of Investigation, and the provision made for analysis, publication and dissemination of the results and archive deposition has been secured.

Reason: Important archaeological remains may exist on this site. Accordingly the Council wishes to secure the provision of archaeological investigation and the subsequent recording of the remains prior to development in accordance with the requirements of policy D2 of the London Borough of Camden Local Plan 2017.

#### Informative(s):

- 1 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that 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, Judd St, Kings Cross, London NW1 2QS (tel: 020-7974 6941).
- 2 Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Council's Noise and Licensing Enforcement Team, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (Tel. No. 020 7974 4444 or search for 'environmental health' on the Camden website 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 Reasons for granting permission (part 1)

The former commercial building on site has been demolished and the applicant is in the process of implementing a scheme for a three storey plus basement dwelling (ref 2013/4839/P). The application is for the erection of a four storey plus basement dwelling, and the proposed scheme is effectively an amalgamation of two previously consented schemes.

The first permission (ref 2013/4839/P), which is currently being implemented, was for a three storey dwelling, which accepted the loss of commercial floorspace to a solely residential scheme. The second permission, for the erection of a four storey plus basement building comprising a B1 use at ground and basement levels and a maisonette above (ref 2013/1368/P) was won on appeal and established the height, bulk and mass, and overall design, of the proposed building. The principle difference between this scheme and the proposed scheme is that the second scheme comprised a commercial element whereas the proposed scheme is solely residential.

The eastern side of Kings Mews was traditionally in office, storage and light industrial uses. These uses have disappeared over the years and permissions for separate residential uses have been granted for the entire eastern side of the mews. The previous permissions have established that the loss of commercial floorspace was acceptable and a basic typology in terms of height, bulk and design.

The former B1/B8 use ceased over ten years ago and the building was empty until its demolition this year. The poor state of the building, and the surplus of similar stock elsewhere, justified the loss of commercial floorspace in the previous schemes. The proposed building would provide a good standard of accommodation and comply with the DCLG standards for floorspace.

The design has taken its cue from other schemes in the mews and is considered to enhance the character and appearance of the conservation area. It was considered important to retain a semi-industrial feel and avoid overt domesticity. The addition of a 4th storey, set back from the main elevation, was initially refused by the Council, but on appeal the Inspector considered that the scheme would represent a high standard of design and noted that the Council had previously approved a larger comprehensive scheme of similar height. The proposed is identical to the approved four storey scheme, the only elevational difference in the proposed scheme is that the top floor would be clad in zinc rather than the bronze of the approved scheme. The change in materials would match the approved top floor of no 27 and would enhance the building's appearance within the street scene. Details of the facing materials were recently approved.

In terms of amenity, the appeal decision established that there would be no adverse impact on the amenity of adjoining occupiers in terms of loss of light or loss of privacy from a four storey building. The daylight sunlight report was considered to sufficiently demonstrate no harm to neighbours, and that differing heights of floorplates would ameliorate overlooking across the mews and obscure glazing, which is to be conditioned, would prevent overlooking to the rear.

#### 4 Reasons for granting permission (part 2)

The new development would be required to be car free in line with policy T2 which will be secured by legal agreement. Cycle storage for 1x cycle is indicated at ground floor level. This is below the required 2x spaces, but due to the constraints of the site the shortfall is considered acceptable in this instance. The Inspector did not consider it necessary to require the storage to be secured by condition. The previous scheme required a highways contribution to repair any damage and create a new footpath in front of the new residential units. This has already been paid so no highways contribution will be required for the new scheme.

The proposal includes a basement floor, as did the approved schemes. The basement has already been constructed in line with the permissions so there is no requirement for a new BIA. The site is within an archaeological priority area and whilst part of the previous archaeological condition has been discharged, there is still a requirement for a site investigation and post investigation assessment. Development is under way to construct a three storey plus basement dwelling, rather than a four storey plus basement one. It is not considered that the addition of a fourth storey would create a significant increase in vehicle movements or duration, but a revised Construction Management Plan will be required via a section 106 agreement.

The proposed scheme would feature a green roof and rooftop solar water heaters. Details of these will be secured by condition. The approved residential scheme was designed to meet Code for Sustainable Homes targets, the new proposed scheme will be required to submit a renewable energy/energy efficiency plan demonstrating how sustainable design principles and climate change adaptation measures have been incorporated into the design and construction of the development as part of the section 106 agreement.

As a residential use is currently being implemented, the proposal would not add an additional unit, so an affordable housing contribution would not be required. The uplift in floorspace would be 34sqm (GIA) so the proposal would not be liable for CIL.

Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, under section 72 of the Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

No objections have been received prior to making this decision. The planning history of the site has been taken into account when coming to this decision.

As such, the proposed development is in general accordance with policies G1, H1, H6, E2, A1, A3, D1, D2, CC1, CC2, CC3, T1 and T2 of the London Borough of Camden Local Plan 2017. The proposed development also accords with the London Plan 2016 and the National Planning Policy Framework.

- 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.

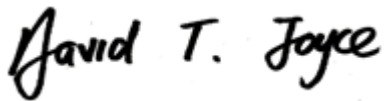
- 6 You are reminded that this decision only grants permission for permanent residential accommodation (Class C3). Any alternative use of the residential units for temporary accommodation, i.e. for periods of less than 90 days for tourist or short term lets etc, would constitute a material change of use and would require a further grant of planning permission.

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

A handwritten signature in black ink that reads "David T. Joyce". The signature is written in a cursive, slightly slanted style.

David Joyce  
Director of Regeneration and Planning