



Application No: 2017/4302/P

**13/15 Johns Mews
London
WC1N 2PA**

**Scale:
1:1250
Date:
20-Dec-18**



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Front elevation looking North on John's Mews



Front elevation looking South on John's Mews



Front entrance



Internal - 13 John's Mews



Garage - 13 John's Mews



Rear view looking towards 21-24 John's Mews



Rear view looking towards 21-24 John's Mews

Delegated Report		Analysis sheet	Expiry Date:	18/09/2017
(Members Briefing)		N/A / attached	Consultation Expiry Date:	30/07/2018
Officer			Application Number(s)	
Gideon Whittingham			2017/4302/P	
Application Address			Drawing Numbers	
13-15 John's Mews London WC1N 2PA			Refer to Draft Decision Notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Partial demolition of existing building and change of use from Class B1 (garage / workshop / offices) to Class C3 residential flats (4 x 2 bed units), including excavation of a basement level, a mansard extension and associated works.				
Recommendation(s):	Grant Planning Permission subject to a Deed of Variation to the original S106 Legal Agreement			
Application Type:	Full Planning Permission			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:					No. of objections	03
Summary of consultation responses:	<p><u>Adjoining Occupiers</u></p> <p>Initial site notices were displayed from the 23rd August 2017 to 13th September 2017. An initial press notice was displayed from the 24rd August 2017 to 14th September 2017.</p> <p>Following revisions to the detailed design of the scheme site notices were displayed from the 11th May 2018 to 1st June 2018. An additional press notice was displayed from the 10th May 2018 to 31st May 2018.</p> <p>Respondents from 3 addresses raised comment (summarised):</p> <p>Conservation & Design</p> <ol style="list-style-type: none"> 1. Proposal results in substantial demolition of positive contributor 2. Affects setting and curtilage of listed building 3. Depth of rear extension beyond those of neighbouring buildings 4. Unsympathetic and uncharacteristic alterations to mews building <p>Officer's response:</p> <ol style="list-style-type: none"> 1. see section Conservation & Design 2. see section Conservation & Design 3. see section Conservation & Design 4. see section Conservation & Design <p>Neighbouring Amenity</p> <ol style="list-style-type: none"> 1. Rear first floor roofs to be used as terraces 2. Enlarged openings at ground floor level rear increase overlooking 3. Rear elevations windows should feature obscure glazing 4. Overlooking neighbouring 11 and 17 John's Mews <p>Officer's response:</p> <ol style="list-style-type: none"> 1. see section Neighbouring Amenity 2. see section Neighbouring Amenity 3. see section Neighbouring Amenity 4. see section Neighbouring Amenity <p>Basement</p> <ol style="list-style-type: none"> 1. Concern with compensation grouting process 2. Lack of suitable information regarding adjacent structures, geological information 3. Impact of Burland Scale 4. Stability of adjacent buildings <p>Officer's response:</p> <ol style="list-style-type: none"> 1. see section on Basement 2. see section on Basement 3. see section on Basement 4. see section on Basement <p>General</p> <ol style="list-style-type: none"> 1. Lack of consultation/change in consultation process <p>Officer's response:</p> <ol style="list-style-type: none"> 1. The Statement of Community Involvement (SCI) sets matters including neighbour notifications. As of 2016, Camden no longer send neighbour notification letters about planning applications. This has however been replaced with other means including email alerts. 					

Statutory Consultees

N/A (including Historic England)

Ward Councillors

Councillor Olad objects:

"I would like to object to this planning application:

1. This is a new application for the substantial demolition of a building listed as making a positive contribution to a Conservation Area & it is a development that adversely affects the setting of adjacent listed buildings, is totally out of keeping with the traditional setting of Mews houses in relation to the (Grade 2 listed) Georgian terrace houses on John Street.

2. On the developers own BIA, the basement development does not comply with Camden's Policy A5 on basement development and;

3. The proposed development is contrary to Camden's policy on amenity. The proposal includes substantial full height double clear class doors as well as a roof terrace which effectively opens the back of the mews houses onto the neighbouring properties".

Officer's response:

1. See section Conservation & Design
2. See section Basement
3. See section Neighbouring Amenity

Conservation Area Advisory Committee

The Bloomsbury CAAC were notified and raised no comment

**CAAC/Local groups
comments:**

Site Description

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.

St. George the Martyr Primary School is on the west side of Johns Mews with a four storey modern red brick schoolhouse.

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.

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.

Relevant History

13/15 Johns Mews:

2014/3330/P: 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. Granted Planning Permission subject to Conditions and S106 Legal Agreement on 31/05/2017.

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.

11 Johns Mews:

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

24 John Street:

2017/3981/P & 2017/3164/L: Removal of external stairs to roof terrace and adjoining free standing wall, extension of existing glazed balustrade, removal and installation of replacement wooden trellis; reconfiguration of rear garden design. Granted Planning Permission and Listed Building Consent 24/08/2017

Relevant policies

National Planning Policy Framework 2018

The London Plan 2016

Camden Local Plan 2017

G1 Delivery and location of growth
H1 Maximising housing supply
H4 Maximising the supply of affordable housing
H6 Housing choice and mix
H7 Large and small homes
C1 Health and wellbeing
C5 Safety and security
C6 Access for all
E1 Economic development
E2 Employment premises and sites
A1 Managing the impact of development
A4 Noise and vibration
D1 Design
D2 Heritage
CC1 Climate change mitigation
CC2 Adapting to climate change
CC3 Water and flooding

CC4 Air quality
CC5 Waste
T1 Prioritising walking, cycling and public transport
T2 Parking and car-free development
T3 Transport infrastructure
T4 Sustainable movement of goods and materials
TC4 Town centre uses
DM1 Delivery and monitoring

Camden Planning Guidance

Adopted March 2018:
CPG Housing (interim)
CPG 2 Housing, May 2016 (updated March 2018)
CPG Amenity
CPG Basements
CPG Biodiversity
CPG Employment sites and business premises

Adopted Prior:

CPG 1 Design (July 2015)
CPG 3 Sustainability (July 2015)
CPG 6 Amenity (September 2011)
CPG 7 Transport (September 2011)
CPG 8 Planning obligations (July 2015)

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

Assessment

BACKGROUND

- 1.1 Permission was granted on 31/05/2017 (2014/3330/P) 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.
 - Excavation beneath footprint of buildings to provide a basement floor level for 112sqm of additional residential floorspace
 - 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.
 - 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.
- 1.2 The extant permission (2014/3330/P) has not been implemented on site but is extant and could be implemented up to 31/05/2020. The extant permission was considered against the LDF Core Strategy and Development Policies.

THE PROPOSAL

- 2.1 This proposal would seek the following:
- The change of use from offices/light industrial/storage (Class B1) accommodation to provide 4 x 2 bedroom flats (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 3 rooflight atop the roof.
 - Excavation beneath footprint of buildings to provide a basement floor level for 107sqm of additional residential floorspace
 - Single storey rear extension (albeit roof area and not boundary wall) at ground floor level to be replaced

with extension at basement and ground floor level topped with sedum roof.

- Provision of courtyard at basement floor level.
- Replacement of garage doors and metal framed windows with timber entrance doors and timber sash and winch windows to front elevation.
- Replacement of rear metal framed windows with sliding doors and balustrading at rear first floor level.

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:

- Amend cycle storage arrangements
- Depict on plan balustrading at rear first floor level
- Amend the Basement Impact Assessment (BIA) following its audit.
- Clarify boundary matters

2.3 This application is essentially seeking alternative works associated with the extant permission such as:

- Housing Mix: increase units from 2 to 4.
- Design: amended elevational treatment to garage doors, fenestration and balustrading, additional rooflights and omission of solar panels.

2.4 In light of the above and the 'fallback position' of the extant permission, the predominant focus of this assessment will be on matters which have changed significantly.

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

3	<p>Land use</p> <ul style="list-style-type: none"> - Policy Review - Loss of business use - Residential use and affordable housing
4	<p>Conservation & Design</p> <ul style="list-style-type: none"> - Statutory framework - Policy review - Impact on character and appearance of Bloomsbury Conservation Area - Extension and alterations - Effect on setting of Listed Buildings -
5	<p>Residential Standards</p> <ul style="list-style-type: none"> - Policy review - Standards - Daylight and sunlight
6	<p>Neighbouring Amenity</p> <ul style="list-style-type: none"> - Policy review - Privacy - Outlook / Sunlight / Daylight
7	<p>Basement</p> <ul style="list-style-type: none"> - Policy review - Independent audit - Land Contamination
8	<p>Transport</p> <ul style="list-style-type: none"> - Policy Review - Car parking

	<ul style="list-style-type: none"> - Cycle parking - Construction management plan - Highway and Public Realm Improvements
9	Sustainability <ul style="list-style-type: none"> - Policy review - Energy and Sustainability
10	Trees
11	Planning obligations
12	Mayor of London's Crossrail CIL and Camden CIL

ASSESSMENT

3. Land Use

Policy Review

3.1 Camden Local Plan policy E1 is relevant with economic growth and harnessing the benefits for local residents and businesses. Policy E2 covers employment premises and sites in the borough and supports the functioning of the Central Activities Zone (CAZ) or the local economy.

Loss of business use

3.2 The previous reasons for approval are still relevant, albeit of a differing policy framework. The objectives of DP13 and CS6 (of the LDF Core Strategy and Development Policies) remain consistent with those of Policy E2 of the Local Plan. Forming part of the officer assessment attributed to 2014/3330/P, the applicant submitted a marketing assessment detailing the constraint nature of the present accommodation for alternative business use and the prohibitive refurbishment costs associated with upgrading the accommodation for modern business purposes and alternative business uses. It was considered the applicants demonstrated the building was no longer suitable for its existing business use. Policy E2 states that the future supply of office space in the borough can meet projected demand; and the council will consider alternative uses for older office premises. With this in mind and given the 'fall back' extant permission, the loss of business use in this instance is considered acceptable and compliant with policy E2.

Residential use and affordable housing

3.3 Self-contained housing is the priority land use of the Local Plan when considering the future of unused sites. The Council will aim to secure a range of homes of different sizes that will contribute to creation of mixed, inclusive and sustainable communities and reduce mismatches between housing needs and existing supply. The proposal would provide 4 x 2 bedroom flats for market housing, considered by policy H7 as high priority due to the high level of need relative to supply. The proposal, in terms of its dwelling sizes and residential context is therefore supported by Policies H1 and H7.

3.4 Policy H4 (Maximising the supply of affordable housing) expects all new residential development consisting of one or more additional units and an increase in residential floorspace of more than 100sqm to make a contribution to affordable housing.

3.5 The proposal is assessed to have capacity for 4 dwellings (390sqm GIA rounded to the nearest 100) so the target would be 8% (4x dwellings x 2%). Therefore, 8% of the GIA is 31.2sqm, so in line with policy H4, the proposal would be expected to provide 8% of its floorspace, or 31.2sqm, as affordable housing. As the calculation relies on Camden Planning Guidance (CPG8) however, which has not yet been updated to respond to the Local Plan, the target is applied to gross external area (GEA) as opposed to gross internal area (GIA), so in this instance the target would be 8% of 390sqm (GIA) x 1.25 = 487 (GEA) or 39sqm, multiplied by £2,650 would total £103,350. The applicant has agreed to the affordable housing contribution and this will be secured as part of the section 106 agreement.

4. Conservation & Design

Statutory Framework and Implications

- 4.1 Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (“the Listed Buildings Act”) are relevant.
- 4.2 Section 66(1) provides that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority 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.
- 4.3 Section 72(1) requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area when considering applications relating to land or buildings within that Area.
- 4.4 The effect of these sections of the Listed Buildings Act is that there is a statutory presumption in favour of the preservation of the character and appearance of Conservation Areas and the preservation of Listed Buildings and their settings. Considerable importance and weight should be attached to their preservation. A proposal which would cause harm should only be permitted where there are strong countervailing planning considerations which are sufficiently powerful to outweigh the presumption. The NPPF provides guidance on the weight that should be accorded to harm to heritage assets and in what circumstances such harm might be justified. This section of the report assesses the harm to heritage assets from the proposal. The balance of the harm and the benefits from the proposed scheme is discussed in the conclusion.

Policy Review

- 4.5 The NPPF, the London Plan policies 7.1, 7.2, 7.3, 7.4, 7.5, 7.6 and 7.7, Camden Local Plan policies D1 and D2 and CPG1 (Design) are relevant with regards to conservation.
- 4.6 As the site is within a designated Conservation Area, the Council has a statutory duty to assess whether the development preserves or enhances the character and appearance of the conservation area.
- 4.7 In considering developments affecting a conservation area, Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) requires that local authorities shall pay special attention to the desirability of preserving or enhancing the character or appearance of that area. In this case the site forms part of Bloomsbury Conservation Area.
- 4.8 In line with the above statutory duties and recent case law, considerable importance and weight has to be attached to the impact of the heritage assets and their setting. It should also be noted that the duties imposed by section 66 and 72 of the Act are in addition to the duty imposed by section 3(6) of the Planning and Compulsory Purchase Act 2004, to determine the application in accordance with the development plan unless material considerations indicate otherwise.
- 4.9 The NPPF requires its own exercise to be undertaken, Conserving and enhancing the historic environment. The NPPF requires that Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal.

Impact on character and appearance of Bloomsbury Conservation Area

- 4.10 Nos. 13 and 15 are identified in the Bloomsbury Conservation Area Appraisal Statement as making a positive contribution (see Site Description section) to the Conservation Area.
- 4.11 The two buildings are situated in a small, informal group of mews houses from 11-23 and it is noted that the rest of these all have additional/mansard roofs. Whilst the buildings are not uniform in appearance they do have a group value in terms of their height (parapet height), plot widths and character as mews properties. The roof additions in this group have been added over the years (from 1989 with the most recent in 2005) with the current gap at Nos.13 and 15 being a result of no applications having been lodged previously (prior to 2013/4967/P & 2014/3330/P) for these buildings rather than as a deliberate townscape response.
- 4.12 The buildings do however sit behind the rear gardens of listed buildings along John Street and consideration also therefore needs to be given to their setting.

Extension and alterations

- 4.13 CPG1 is clear when additional storeys are likely to be acceptable, particular in this instance:
- There is an established form of roof addition or alteration to a terrace or group of similar buildings and where continuing the pattern of development would help re-unite a group of buildings and townscape;

- 4.14 In this case there is an established form of roof addition on this group of buildings and mansard on both of the application properties would help re-unite this group.
- 4.15 Additionally paragraph 5.8 lists circumstances when additional storeys would be unacceptable. None of the circumstances listed apply to Nos.13 and 15 John's Mews. The proposed design of the mansard roofs, being in natural slate, with small dormers and recessed behind the parapet, are subservient to the host building and conforms to relevant guidance in 5.14 – 5.18 of CPG1.
- 4.16 The existing roof space and views upon the rear buildings along John Street have not been identified as important within the Bloomsbury Conservation Area Appraisal and Management Strategy.
- 4.17 Given their positive contributor status, the mansard roof extensions, by virtue of their form and detailed design are considered an appropriate alteration.
- 4.18 With regard to elevational alterations, the new timber doorways, replacement garage door elements and French doors with Juliette balconies are considered respectful to a more traditional mews character and their context.
- 4.19 The rear would see a pitch roof at ground floor level replaced with a flat roofed rear extension, set away from the rear boundary wall, which would allow for a newly formed lightwell within the rear down to the newly formed basement floor level. Whilst not characteristic within the mews, given this would take place behind an existing/retained boundary wall of 2.4m and the proximity and visibility of views from John Street, these elements would be sympathetically introduced without harm to the mews.
- 4.20 The scheme would provide for a high quality and appropriate form of development. The positive contributors would be retained which itself offers the principal contribution to the conservation area. The demolition to take place is limited to the roof, a number of windows openings and the rear single storey element. This is considered both appropriate and acceptable, without harm to the character and appearance of the building. The alterations are not considered to be materially harmful.

Effect on setting of Listed Buildings

- 4.21 With regard to the adjacent Listed buildings, this has been given considerable weight and it is considered that the proposed works would not affect the setting of Nos. 22-28 John Street. 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. Even when extended, the scale of Nos.13 and 15 Johns Mews would still clearly be subservient to the buildings on John Street. Indeed there are numerous examples within the conservation area where two storey and attic mews properties sit harmoniously with neighbouring terrace houses. The proposal would retain the existing character of the Johns Mews and would not harmfully alter the setting in this respect.
- 4.22 Taking the above matters into consideration, it is concluded that the proposal would preserve the character and appearance of the Bloomsbury Conservation Area and the setting or any features of special architectural or historic interest which the adjacent Listed buildings possess and would therefore meet the requirements of sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. This has been given great weight and importance as is required by law.

5. Residential standards

Policy review

- 5.1 Policy H6 (Housing choice and mix) seeks to minimise social polarisation and create mixed, inclusive and sustainable communities by seeking high quality accessible homes and by seeking a variety of housing suitable for Camden's existing and future households

Standards

- 5.2 All of the proposed flats would meet or exceed the MHCLG floorspace standards. All rooms would have an adequate size, shape, door arrangement, height and natural lighting and ventilation. The basement/ground floor units (1 & 2) would benefit from external amenity space in the form of rear lightwells, to ensure neighbouring amenity however, external amenity space for the upper floor flats has been restricted. All flats would be dual aspect and provide a good standard of accommodation.
- 5.3 In line with policy H6 and the London Plan all units have been designed to be accessible and adaptable dwellings according to part M4(2) of the Building Regulations where achievable.

5.4 Communal refuse storage is indicated at ground floor level.

Daylight and sunlight

5.5 The applicant's sunlight/daylight report advises that habitable spaces (bedrooms) at basement floor level would receive adequate sunlight and daylight., achieving 1% - 1.19% Average Daylight Factor (ADF) in line with the BRE guidance, which recommends a minimums of 1% for bedrooms.

6. Neighbouring Amenity

Policy review

6.1 Policies G1, A1, DM1 and CPG6 (Amenity) are relevant with regards to the impact on the amenity of residential properties in the area. Any impact from construction works is dealt with in the transport section.

6.2 The site is directly flanked to the north and south by residential buildings along John's Mews. Across John's Mews to the west is St. George the Martyr Primary School playgrounds. Not uncommon to many mews buildings backing onto their larger townhouse neighbours, the rear elevation (albeit at ground floor level) of Nos.13 and 15 John's Mews provides a boundary wall with the rear garden of Nos.23 and 24 John Street, with the main buildings separated by garden.

6.3 In terms of residential windows which face or have a relatively direct line of sight with the windows of No.13 and 15 John's Mews, this is limited to Nos.22, 23, 24 and 25 John Street.

Privacy

6.4 It is acknowledged that overlooking between the occupiers of Nos.13 and 15 John's Mews and Nos.23 and 24 John Street is an existing mutual condition, albeit of a differing use. It is considered the change of use from commercial to residential would not introduce a greater potential for mutual overlooking.

6.5 The proposal would remove 2 openings existing within the boundary wall facing John Street gardens, to be replaced with a single obscurely glazed window which is considered an improvement on the existing arrangement.

6.6 At ground floor level, the rear elevation would feature floor to ceiling glazed openings, however these would be set behind the boundary wall with the John Street buildings. Consultation comments have raised concern of these openings and overlooking. It should be noted however that views, not screened by the 2.4m boundary wall, would be between 2.3m above internal ground floor level and 2.7m. In this context, no harmful overlooking could take place.

6.7 The first floor level openings would be re-arranged with a vertical rather than horizontal emphasis with openings set behind balustrading, thereby the roof of the rear extension would not be a platform or terrace (secured by condition). Although 4 new windows would be introduced at mansard roof level, given their size, position and distance from the rear of buildings along John Street, this element would not exert a materially harmful impact on the amenities of adjoining occupiers, in terms of privacy and overlooking.

Outlook / Sunlight / Daylight

6.8 The existing terminating height of Nos.13 and 15 John's Mews is approximately 7.5m, with a parapet height of 6m, by virtue of their shallow pitched roofs. The adjacent buildings, each featuring mansard roof extensions, rise up to approximately 8.5m in height. The proposal would result in a terminating height of 8.7m to Nos.13 and 15 John's Mews. Whilst the terminating height would be increased, given its proximity to buildings along Johns Street, in addition to its terminating height matching those either side of the application site, this element would not exert a materially harmful impact on the amenities of adjoining occupiers, in terms of outlook, daylight and sunlight. The proposal would therefore satisfy the objectives of CPG Amenity.

6.9 The proposal, in terms of amenity, would be no greater harm than the fall-back position attributed to the extant permission and in this context the quantum/density is acceptable.

7. Basement

Policy Review

7.1 Camden Local Plan policies A2, A5, D1, D2, CC3 and CPG Basements are relevant with regards to transport issues. With regard to Policy A5, the proposal complies with parts a – e as per below. In addition, the proposal complies with parts f – u, save for part l which is not appropriate due to the nature and footprint of the mews dwellings abutting neighbouring buildings. The proposal would be a single storey basement floor level under the

footprint of the existing building. External manifestations would be to the rear within a newly created amenity space / courtyard and is therefore considered in line with the objectives of Policy A5.

Independent audit

7.2 The site would incorporate single storey basements, providing approximately 106sqm of additional floorspace and an external depth of approximately 4m below ground floor level.

7.3 The applicant submitted a Basement Impact Assessment which was reviewed by Campbell Reith whom concluded:

- The authors of the BIA possess suitable qualifications.
- Intrusive ground investigations confirm that the site is underlain by a variable depth of Made Ground over Alluvium, River Terrace Gravel and London Clay.
- The updated BIA states that the proposed basement will be founded at 2.9m below ground level (bgl), which is approximately 1m shallower than the original proposals.
- It is likely that groundwater will be encountered during basement excavation and construction.
- In the updated BIA, the geotechnical parameters used for design and assessment are now accepted.
- A revised construction methodology has been proposed, which transfers the existing and proposed structural loads to piles. A construction sequence is presented. Design calculations for the retaining walls and temporary works proposals have been provided.
- An updated ground movement assessment (GMA) is presented, based on the revised construction methodology, that predicts damage to neighbours to be a maximum of Burland Category 1 (Very Slight). The assessment is accepted.
- An updated structural movement monitoring strategy has been provided. Trigger levels and frequency of survey are considered reasonable to control the works and maintain a maximum of Category 1 damage to neighbours.
- It is accepted that the development will not impact on the wider hydrological and hydrogeological environments and is not in an area subject to flooding.
- The BIA identifies that there is a disused railway tunnel north of the site. The BIA states that the tunnel will not be impacted by the proposed development. This should be confirmed by the asset owner prior to works commencing, and asset protection agreements entered into if required
- We are satisfied that the proposed scheme mitigates stability and damage risks in accordance with the policy requirements. We reviewed the scheme on a number of occasions and the resultant structural proposals require that building loads are transferred to the bearing piles at all stages of the construction process. Previous proposals included for building loads to be carried on underpinned foundations with the risk of adverse settlement and potential for movement and damage to neighbours - the new proposals mitigates effectively against this risk. Structural monitoring is also proposed, to ensure movements are controlled during the works
- The BIA meets the criteria of CPG Basements.

7.4 Campbell Reith have not recommended that a Basement Construction Plan be secured, but the condition requiring details of a relevantly qualified basement engineer overseeing the development will be attached.

Land Contamination

7.5 Due to the existing commercial use, Environmental Health officers advise that there is potential for the land and building itself to be contaminated and advise standard conditions be attached requiring a scheme of remediation to be approved prior to occupation and if significant contamination is discovered during development it shall be fully assessed and any necessary modifications made to the remediation scheme shall be submitted to the Local Planning Authority for written approval.

8. Transport

Policy Review

8.1 Camden Local Plan policies T1, T2, T3 and T4 and CPG7 (Transport) are relevant with regards to transport issues.

Car parking

8.2 No off-street car parking is currently provided and none is proposed. The applicant has accepted the principle of the car-free housing and payment of the Council's legal fees.

Cycle parking

8.3 The applicant has indicated a number of cycle storage spaces located at ground floor level, both communally and within flats, compliant with guidance forming part of CPG 7. This matter shall be secured by condition.

Construction Management Plan

- 8.4 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 number of construction vehicle movements during the overall construction period. The primary concern is public safety (in addition to children's safety being in close proximity to a school) 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).
- 8.5 A draft Construction Plan has been submitted along with the application. This draft document adequately outlines the extent of construction and necessary management required at this stage. 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. A CMP and Implementation Support Contribution of £3,136 must therefore be secured as a Section 106 planning obligation

Highway and Public Realm Improvements

- 8.6 The Council would need to repair any such damage to the public highway. A financial contribution for highway works is therefore recommended to be secured by S106 Legal Agreement.
- 8.7 The applicant would 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.

9. Sustainability

Policy Review

- 9.1 Camden Local plan policies CC1, CC2 and CC3 are relevant with regards sustainability and climate change.

Energy and Sustainability

- 9.1 As per CPG3, the amount of floorspace and units involved falls below the threshold of 500sqm, therefore a BREEAM pre-assessment is not required. A condition shall however ensure water efficiency shall be achieved and the green roof shall be retained.

10. Trees

- 10.1 No trees are currently onsite and none are proposed. Trees are located in a grounds to the rear on John Street however, these are bordered within their respective gardens and again bounded by boundary walls. Notwithstanding the species form, the footing of the boundary wall is likely to have acted as a roots barrier inhibiting root growth into the application site, further reducing the likelihood of the proposed development causing harm to offsite trees. Tree Officers advise a standard tree protection condition be attached to any permission.

11. Planning obligations

- 11.1 The following contributions are required to mitigate the impact of the development upon the local area, including on local services. These heads of terms will mitigate any impact of the proposal on the infrastructure of the area.

Contribution	Amount (£)
Financial contribution toward housing	£103,350
Approval in Principle (AIP)	£1,800
Highways contribution for reinstating footway	£3,181.87
Demolition and construction management plan monitoring	£3,136
TOTAL	£8,117.87

12. Mayor of London's Crossrail CIL and Camden CIL

- 12.1 The proposal would be liable for both the Mayor of London's CIL and Camden's CIL as the development involves the addition of more than 100sqm of commercial floorspace. The Mayoral CIL rate in Camden is £50 per sqm and Camden's CIL is £500 per sqm (Zone A – Residential). The CIL would be calculated on the uplift in floorspace

(169m²). Based on the Mayor's CIL and Camden's CIL charging schedules and the information given on the plans the charge is likely to be £8,450 (169m² x £50) for Mayoral CIL and £84,500 (169m² x £500) for Camden's CIL. The CIL will be collected by Camden and an informative will be attached advising the applicant of the CIL requirement.

13. CONCLUSION

13.1 In the context of the fall back position, the principle change of use, extensions and alterations are considered to be policy compliant and acceptable in design terms. The roof, rear and basement extensions and façade alterations would be sympathetic to the character and appearance of the host building and the conservation area. The elevational 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 or the highway network, subject to suitable s106 controls.

14. Planning Permission is recommended subject to a Deed of Variation to the original S106 Legal Agreement covering the following Heads of Terms:-

- Financial contribution toward housing £103,350
- Construction Management Plan
- Construction Management Plan Implementation Support Contribution of £3,136
- Approval in Principle (AIP) £1,800
- Highways contribution for reinstating footway £3,181.87

The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 24th December 2018, nominated members will advise whether they consider this application should be reported to the Planning Committee. For further information, please go to www.camden.gov.uk and search for 'Members Briefing'.

Montagu Evans LLP
5 Bolton Street
London
W1J 8BA

Application Ref: **2017/4302/P**

20 December 2018

Dear Sir/Madam

DRAFT
FOR INFORMATION ONLY - THIS IS NOT A FORMAL DECISION
Town and Country Planning Act 1990 (as amended)

DECISION SUBJECT TO A SECTION 106 LEGAL AGREEMENT

Address:

**13-15 John's Mews
London
WC1N 2PA**

Proposal:

DECISION
Partial demolition of existing building and change of use from Class B1 (garage / workshop / offices) to Class C3 residential flats (4 x 2 bed units), including excavation of a basement level, a mansard extension and associated works.

Drawing Nos: Background Papers, Supporting Documents:

Energy & Sustainability Statement Dated 11th July 2017, Prepared By Eb7 Ltd;
Heritage Statement Dated June 2017, Prepared By The Architectural History Practice Ltd;
Loss Of Employment Supporting Statement Dated July 2017, Prepared By Montagu Evans;

Internal Daylight Report dated 28th June 2017, Prepared by CHP Surveyors Limited;
BASEMENT IMPACT ASSESSMENT (14.771 - BIA - 01 Rev 2) by Barrett Mahony Consulting Engineers (BMCEUK), dated 19/10/2018; Basement Impact Assessment Addendum Letter by Barrett Mahony Consulting Engineers (BMCEUK), dated 06/12/2018

Drawing Numbers:

P_00; P_01 Rev C; P_02 Rev A; P_03 Rev A; P_04 Rev A; P_05 Rev A;
P_06 Rev A; P_07 Rev A; P_08 Rev B [Proposed Section AA]; D_08 Rev B [Demolition Section AA]; P_09 Rev B.

The Council has considered your application and decided to grant permission subject to the conditions and informatives (if applicable) listed below **AND** subject to the successful conclusion of a Section 106 Legal Agreement.

The matter has been referred to the Council's Legal Department and you will be contacted shortly. If you wish to discuss the matter please contact **Aidan Brookes** in the Legal Department on **020 7 974 1947**.

Once the Legal Agreement has been concluded, the formal decision letter will be sent to you.

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 buildings, 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 D1 and D2 of the London Borough of Camden Local Plan 2017.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans [Background Papers, Supporting Documents: Energy & Sustainability Statement Dated 11th July 2017, Prepared By Eb7 Ltd; Heritage Statement Dated June 2017, Prepared By The Architectural History Practice Ltd; Loss Of Employment Supporting Statement Dated July 2017, Prepared By Montagu Evans; Internal Daylight Report dated 28th June 2017, Prepared by CHP Surveyors Limited; BASEMENT IMPACT ASSESSMENT (14.771 - BIA - 01 Rev 2) by Barrett Mahony Consulting Engineers (BMCEUK), dated 19/10/2018; Basement Impact Assessment Addendum Letter by Barrett Mahony Consulting Engineers (BMCEUK), dated 06/12/2018

Drawing Numbers:

P_00; P_01 Rev C; P_02 Rev A; P_03 Rev A; P_04 Rev A; P_05 Rev A;
P_06 Rev A; P_07 Rev A; P_08 Rev B [Proposed Section AA]; D_08 Rev B [Demolition Section AA]; P_09 Rev B.]

- 4 Reason: For the avoidance of doubt and in the interest of proper planning.
Prior to commencement of development, full details in respect of the living roof in the area indicated on the approved first floor 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 roofs shall be fully provided in accordance with the approved details prior to first occupation and thereafter retained 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.

- 5 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.

- 6 The secure cycle storage areas for 8 cycles hereby approved shall be provided in its entirety prior to the first occupation of any of the new units, and permanently retained thereafter.

Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of policy T1 of the London Borough of Camden Local Plan 2017.

- 7 The roofs of the extensions hereby permitted shall not be used as terraces or any other type of amenity space.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policy A1 of the London Borough of Camden Local Plan 2017.

- 8 The balustrade to the lower part of first floor rear openings shall be erected prior to first occupation of the relevant new units, and permanently retained thereafter.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policy A1 of the London Borough of Camden Local Plan 2017.

- 9 All units hereby approved shall be designed and constructed in accordance with Building Regulations Part M4 (2), evidence demonstrating compliance should be submitted to and approved by the Local Planning Authority prior to occupation.

Reason: To ensure that the internal layout of the building provides flexibility for the accessibility of future occupiers and their changing needs over time, in accordance with the requirements of policy C6 of the London Borough of Camden Local Plan.

- 10 The ground floor level window within the rear boundary wall hereby permitted shall be constructed using only obscured glazing, fixed shut and so retained.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policy A1 of the London Borough of Camden Local Plan 2017.

- 11 No development shall commence until:
- (a) A written scheme of remediation strategy for the presence of soil and groundwater contamination and landfill gas, giving full details of the remediation measures shall be submitted to and approved by the local planning authority in writing; and
 - (b) following the approval detailed in paragraph (a), The remediation measures shall be implemented strictly in accordance with the approved scheme and a written report detailing the remediation, including a verification plan to demonstrate the works set out in the remediation strategy are complete, shall be submitted to and approved by the local planning authority in writing.

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 policies G1, D1, A1, and DM1 of the London Borough of Camden Local Plan 2017.

- 12 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 presence of contamination, in accordance with policies G1, D1, A1, and DM1 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 This proposal may be liable for the Mayor of London's Community Infrastructure Levy (CIL) and the Camden CIL. Both CILs are collected by Camden Council after a liable scheme has started, and could be subject to surcharges for failure to assume liability or submit a commencement notice PRIOR to commencement. We issue formal CIL liability notices setting out how much you may have to pay once a liable party has been established. CIL payments will be subject to indexation in line with construction costs index. You can visit our planning website at www.camden.gov.uk/cil for more information, including guidance on your liability, charges, how to pay and who to contact for more advice.
- 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 This proposal may be liable for the Mayor of London's Community Infrastructure Levy (CIL) and the Camden CIL. Both CILs are collected by Camden Council after a liable scheme has started, and could be subject to surcharges for failure to assume liability or submit a commencement notice PRIOR to commencement. We issue formal CIL liability notices setting out how much you may have to pay once a liable party has been established. CIL payments will be subject to indexation in line with construction costs index. You can visit our planning website at www.camden.gov.uk/cil for more information, including guidance on your liability, charges, how to pay and who to contact for more advice.
- 6 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.

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.

Yours faithfully

Supporting Communities Directorate