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Date: 01/04/2019
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Mr Aleksandar Milivojevic
 Former Studio
By email

www.camden.gov.uk/planning

Dear Mr Milivojevic

Re: 73 Mornington Street, London, NW1 7QE

Thank you for submitting a pre-planning application enquiry for the above property, which was received on 14th January 2019 together with the required fee of £3,708.81

1. Drawings and documents

PP-103	Proposed Basement Plan
PP-104A	Proposed Ground Floor Plan
PP-105A	Proposed 1 st Floor Plan
PP-106A	Proposed 2 nd Floor Plan
PP-108	Proposed Roof Plan
PP-109A	Proposed Front (North) Elevation
PP-110A	Proposed Side (East) Elevation
PP-111A	Proposed Rear (South) Elevation
PP-112A	Proposed Section AA

2. Proposal

Erection of roof extension at second floor level to provide a 2 bedroom self-contained flat (Class C3); extension to existing basement to provide additional office space (Class B1a) and conversion of existing ground floor and first floor level from office (Class B1a) to residential (Class C3) to provide 4 self-contained studio flats (under Class O of Schedule 2 of the GPDO 2015)

3. Site description

The application site consists of a two-storey office building located on the southern side of Mornington Street, in between Arlington Road and Albert Street. The building also contains a basement level.

The site is located within the Camden Town Conservation Area. The building is not listed and is not described as a building that makes a positive contribution to the conservation area. The site adjoins to the rear of a row of Grade II listed buildings (Nos. 3-31 Arlington Road).

4. Relevant planning history

9003243- Redevelopment of the site by the erection of a two-storey building for use within Class B1 of the Town and Country Planning (Use Classes) Order 1987 9025/10 11 12. **Granted 12/09/1990.**

5. Relevant policies and guidance

[National Planning Policy Framework 2019](#)

[The London Plan March 2016](#)

[Camden Local Plan 2017](#)

Meeting Housing Needs

- H1- Maximising housing supply
- H4- Maximising the supply of affordable housing
- H6- Housing choice and mix
- H7- Large and small homes

Protecting amenity

- A1- Managing the impact of development

Design and heritage

- D1- Design
- D2- Heritage

Sustainability and climate change

- CC1- Climate change mitigation
- CC2- Adapting to climate change
- CC3- Water and flooding
- CC4- Air quality
- CC5- Waste

Transport

- T1- Prioritising walking, cycling and public transport
- T2- Parking and car-free development

[Camden Planning Guidance 2018](#)

- CPG1 (Design) (Updated March 2018)
- CPG3 (Sustainability) (Updated March 2018)
- CPG Amenity (March 2018)
- CPG7 (Transport) (Updated March 2018)
- CPG8 (Planning Obligations) (Updated March 2018)

[Camden Town Conservation Area Appraisal and Management Strategy 2007](#)

[Class O, Part 3, Schedule 2 of the Town and Country Planning \(General Permitted Development Order\) \(England\) 2015](#)

6. Introduction

This written response is based on the drawing submitted in the “Drawings and Documents”, and a pre-application meeting conducted on site on Friday 8th February 2019 and subsequent revised plans. Should the pre-application scheme be altered, some of the advice given may become redundant as a result of this. The advice may not be considered relevant if adopted planning policies at national, regional or local level are changed or amended. Other factors such as case-law and subsequent planning permission may affect this advice.

The main issues to consider in this case are as follows:

- Basement Extension
- Design and conservation
- Land use
- Neighbouring amenity
- Transport
- Consultation

7. Basement Extension

The proposed basement excavation would be required to meet the following criteria outlined CPG Basements in order to be considered acceptable in principle.

Does not cause harm to the built and natural environment and local amenity;
Does not result in flooding;
Does not lead to ground instability.

It would be expected that a Basement Impact Assessment (BIA) would be submitted addressing the particular issues above. The information contained within the BIA should be specific to the site and particular proposed development. The BIA should include the following stages:

Stage 1- Screening;
Stage 2- Scoping;
Stage 3- Site investigation and study;
Stage 4- Impact assessment; and
Stage 5- Review and decision making.

The purpose of the BIA is to enable the Council to 'assess whether any predicated damage to neighbouring properties and the wider environment is acceptable or can be satisfactorily ameliorated by the developer' as stated in policy A5 of the Camden Local Plan.

The Council's records show that No. 73 Mornington Street appears to not have any underground constraints. A BIA report would be required as part the of application submission nevertheless which would provide the Council with the relevant information to determine whether an excavation of a basement is acceptable. The BIA will be independently checked at the applicant's expense by Campbell Reith. Depending on the outcome of the audit and the sensitivities of the site, the excavation methodology may need to be subject to a Basement Construction Plan, secured by a S106 legal agreement.

Scale and Character

Section 2.4 of CPG4 (Basements and Lightwells) states "just as overly large extensions above the ground level can dominate a building, contributing to the over-development of a site, an extension below ground can be of an inappropriate scale. There may be more flexibility with the scale of a development when it is proposed underground, but there are a number of factors that would mean basement development would be overdevelopment".

The Council will only permit basement developments in accordance with criteria points A-M of policy A5 of the Local Plan (p.190) as listed in the table below. This is accompanied by comments on its likelihood of complying based on the submitted drawing(s).

Policy A5 Criteria	Response	Complies Yes/No
The Council will only permit basement development where it is demonstrated to its satisfaction that the proposal would not cause harm to:		
a) neighbouring properties;	See 'Neighbour amenity' section below.	
b) the structural, ground, or water conditions of the area;	<p>Any future planning application for a basement development on this site would need to include a Basement Impact Assessment (BIA) which has been prepared in accordance with the processes and procedures as set out within CPG Basements. Furthermore, the site is subject to underground constraints (subterranean groundwater flow, surface water flow and flooding, and slope stability).</p> <p>The BIA should include the following stages:</p> <ul style="list-style-type: none"> • Stage 1 – Screening; • Stage 2 – Scoping; • Stage 3 – Site investigation and study; • Stage 4 – Impact assessment; and • Stage 5 – Review and decision making. <p>Further details on BIAs can be found in CPG Basements. For completeness, please ensure that the report details the author's own professional qualifications, noting the varying qualification requirements within CPG Basements for the different elements of a BIA study.</p> <p>The submitted BIA will be required to be independently assessed by a third party, at the applicant's expense, to satisfy the Council that the development would not lead to any unacceptable impacts on the land stability, groundwater flows and surface flows of the area should the development be granted.</p> <p>Please note that the Council's preferred provider for the audit service is Campbell Reith. When an audit is required, Campbell Reith charges a fixed fee dependent on the category of basement audit, outlined in Appendix A of Camden's BIA audit service terms of reference.</p> <p>As the BIA will require a third party audit, it will be expected that your report is in line with the Council's Pro Forma. You will need to complete the Basement Impact Assessment Audit Instruction Form on Camden's website; please see Section B for a full list of items to be included in your BIA. You will need to fill out this section of the form and return to us alongside any formal submission.</p>	
c) the character and amenity of the area;	See 'Design' section below.	
d) the architectural	See 'Design' section below.	

character of the building; and		
e) the significance of heritage assets.	See 'Design' section below.	
Basement development should:		
f) not comprise of more than one storey;	The proposed basement would be single storey in depth.	Yes
g) not be built under an existing basement;	The proposed basement would not be constructed beneath an existing basement.	Yes
h) not exceed 50% of each garden within the property;	The application site does not benefit from a garden. The basement development would be within the envelope of the building.	Yes
i) be less than 1.5 times the footprint of the host building in area;	The proposed basement development would only lower the floor level of the existing basement floorspace and would not be extended outwards.	Yes
j) extend into the garden no further than 50% of the depth of the host building measured from the principal rear elevation;	The proposed basement development would only be developed within the envelope of the building and would not be extended outwards.	Yes
k) not extend into or underneath the garden further than 50% of the depth of the garden;	The proposed basement development would only be developed within the envelope of the building and would not be extended outwards. The site has no garden.	Yes
l) be set back from neighbouring property boundaries where it extends beyond the footprint of the host building; and	The proposed basement development would not be extended beyond the footprint of the host building.	Yes
m) avoid the loss of garden space or trees of townscape or amenity value.	The proposed basement development would not be extended beyond the footprint of the building.	Yes

Criteria points N-U (see p.190 of the Camden Local Plan) are required to be demonstrated within the submission and BIA.

Overall, the proposed basement excavation is considered as acceptable. It would increase the depth of the existing basement floorplate and does not involve any outward extensions at basement level. The rear garden would not be affected as part of the works and the existing front lightwell would service the basement.

Impact on Trees/Biodiversity

As the proposed basement works would not occur underneath the existing garden (and entirely within the existing building), nearby trees would not be affected.

Proposed Use

The proposed use of the basement level would be additional Class B1 office which is considered acceptable in terms of user amenity as there would be no habitable spaces.

8. Design and Conservation

Policy D1 seeks high quality design in all developments. The Council will require that development respects the local context and character and is of high quality that complements the local character. Furthermore, policy D2 will preserve, and where appropriate, enhance Camden's diverse heritage assets and their settings including conservation areas.

Furthermore, CPG1 specifies that an additional storey or roof alteration is likely to be acceptable in the following circumstance:

- Alterations are architecturally sympathetic to the age and character of the building and retain the overall integrity of the roof form.

The application building is a two storey building located in between No 31 Mornington Street, a (grade II) listed building and No. 71 Mornington Street which is also a three-storey building. The built form of this section of Mornington Street varies from one to three storeys in height, with the application building and The Sheephaven Bay pub opposite being two storeys in height. The rear of the application building looks out onto the rear gardens of the listed building of Arlington Road and the building itself was an infill development of the garden at the end of the block of Arlington Road, thus it is considered to create a secondary side frontage compared to the main ones along Arlington Rd and in the middle of Mornington St which have higher blocks.

Second Floor Extension

In review of the above guidance and context, the proposed extension at second floor level is considered acceptable in principle. Its scale is considered appropriate as, although the proposal adds an additional storey to the building, it does not result in the application building competing with the adjacent buildings. The building would still retain a terminating height that is lower than No. 71 Mornington Road and No. 31 Arlington Road and the scale of the extension would still retain the overall scale of buildings observed within this part of Mornington Street (between one and three storeys).

The detailed design in terms of the materials of the additional storey is considered acceptable as it reads as an upward continuation of the building with matching facing brickwork and stucco detailing in a white painted finish.

The proposed windows would be aluminium framed in a white powdercoat finish with the same glazing arrangement as the existing windows below. The existing windows are of no merit and it is encouraged that they are replaced with high quality windows with which the windows of the proposed storey and basement should replicate.

Basement and Associated Alterations

As part of the basement works, two lightwells with associated railings would be excavated at the front of the building to provide amenity to the new useable lower ground floor level. The proposed lightwells and railings are considered acceptable in this instance, as there are examples of such within this street.

On the front elevation at lower ground floor level, three windows would be installed. No details have been provided on this or on the detailed design of the façade at basement level but it would be expected that the windows would be of the same style and aperture as described previously.

9. Land Use

Change of Use to Ground and First Floor Levels

It is proposed that the ground and first floor levels of the existing building would be converted from office (Class B1a) to residential (C3) under the Prior Approval procedure. The site is not within an Article 4 area that prohibits the change of use from office to residential.

In order to be granted Prior Approval by the Council, the proposal must comply with criteria (a)–(g) of point O.1 and condition O.2 of Class O of Part 3, Schedule 2 of the GPDO (England) 2015.

Proposed Second Floor

At second floor level, the proposed use be residential (use C3) to provide a two bedroom self-contained flat. The provision of a two bedroom flat is considered acceptable, as it would provide a high priority dwelling.

Quality of Accommodation

The proposed residential dwelling would be required to meet the minimum space standards for dwellings as detailed within the London Plan 3.3. At 61sqm, the proposed flat meets the standards for a two bedroom three person flat.

The proposed dwellings are of dual aspect and it is considered that the residential accommodation would provide good access for future occupants to natural light, outlook, natural ventilation, layout and internal space.

Access

As the proposal is an extension to an existing building, the new unit would need to meet Approved Document M 4 (1). Furthermore, as the existing building does not benefit from a lift, the proposed stairs would need to meet Approved Document K of building regulations.

Affordable Housing Contribution

As the proposal would result in the creation of one unit under planning permission, an affordable housing contribution would not be required in this instance.

Other

It should be noted that any planning application submission would not consider any extant prior approvals granted by the Council unless the prior approval scheme has been implemented and occupied.

10. Adjacent Residential Amenity

Policy A1 of the Camden Local Plan seeks to ensure that the amenity of neighbouring properties is protected. It states that planning permission will not be granted for development that causes harm to the amenity of occupiers and neighbours in terms of loss of daylight, sunlight, outlook and privacy.

The nearest residential occupiers are identified as No. 31 and No. 29 Arlington Road and No. 71 Mornington Street.

Daylight/Sunlight

It is generally considered that the proposed second-floor extension would not result in an adverse impact upon neighbouring occupiers in regards to daylight and sunlight. This is due to the stepped back form of the second floor extension from the rear windows of Nos. 29-31 Arlington Road. However, a daylight/sunlight report would need to be submitted to demonstrate this.

It is considered that the proposal would not impact upon the access to daylight and sunlight experienced by No 71 Mornington Street as this building has no windows facing the site.

Privacy

It is considered the proposed rear window at second floor level would not lead to adverse levels of overlooking due to the acute angle of vision between the proposed window and the rear habitable windows of Nos. 29 and 31 Arlington Road. However, plans should be submitted showing the sightlines from the proposed window to demonstrate that the window would not cause adverse impacts of overlooking.

It is considered that the existing first floor rear window would not lead to adverse levels of overlooking should the internal use be converted into residential.

The proposed front windows will not impact upon the amenity of adjoining occupiers in regards to overlooking.

Outlook

It is considered that the additional storey would not harm the outlook of the rear habitable windows of Arlington Road. This is due to the stepped back form of the proposal. Submitted drawings should demonstrate that outlook from neighbouring buildings would not be adversely impacted.

It is considered that the basement development would not adversely impact upon adjoining buildings.

11. Transport and Servicing

Cycle Parking

The Council would expect the provision of long stay cycle parking spaces in accordance with policy T1. The exact amount would depend on the resulting amount of residential units proposed. In accordance with the London Plan, 1 cycle parking space should be provided per studio/1 bedroom flat and 2 cycle parking spaces per all other dwellings.

Car-Free Development

The site falls within the Camden Town controlled parking zone (CPZ). As per the requirements of policy T2 of the Camden Local Plan, a S106 agreement would be required for the proposal to be car-free to ensure that future occupants of the development are aware that they are not entitled to on-street parking permits. Policy T2 seeks to ensure car-free development across the borough. This applies to full planning applications as well as prior approval applications.

Construction Management Plan (CMP)

Construction works and construction movement vehicles have the potential to disrupt the day to day functioning of the surrounding highway network for an extended period of time and will need to be carefully managed to ensure disruption is kept to a minimum. In accordance with policies A1 and T4 of the Local Plan, a construction management plan may be required via a S106 agreement with an associated financial contribution of £3,136 to cover the costs of reviewing, monitoring and enforcing the CMP.

Highways Contribution

Paragraph 6.11 (policy A1) of the 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 Council may need to secure a financial contribution for highway works as a S106 planning obligation.

Approval in Principle (AIP)

As the basement works would be adjoin the public highway at the front of the site, an AIP contribution would be required from the Council's Highways Department.

12. Community Infrastructure Levy (CIL)

This scheme will be liable for both the Mayoral and Camden CIL as the proposed results in a development of new dwellings. The Camden CIL will apply to all applications that are granted planning permission after April 1st 2015. For further information please visit the website below:

<https://www.camden.gov.uk/ccm/content/environment/planning-and-built-environment/two/planning-applications/making-an-application/supporting-documentation/community-infrastructure-levy.en>

13. Conclusion

In conclusion, the principle of an additional storey is considered acceptable in principle although the window treatment should be revisited so that replacement and newly proposed windows enhance the overall appearance of the building. The application would need to be accompanied by a Basement Impact Assessment to be reviewed by Campbell Reith at the applicant's expense.

The proposed drawings would need to demonstrate that it does not adversely impact upon the amenity of the occupiers of the rear windows of the adjoining dwellings on Arlington Road to gain full support from officers.

14. Planning application information

8.1 If you submit a planning application which addresses the outstanding issue detailed in this report satisfactorily, I would advise you to submit the following for a valid planning application:

- Completed form – Full Planning Permission
- An Ordnance Survey based location plan at 1:1250 scale denoting the application site in red.
- Floor plans at a scale of 1:50 labelled 'existing' and 'proposed'
- Roof plans at a scale of 1:50 labelled 'existing' and 'proposed'
- Elevation drawings at a scale of 1:50 labelled 'existing' and 'proposed'
- Section drawings at a scale of 1:50 labelled 'existing' and 'proposed'
- Design and access statement
- Basement Impact Assessment
- The appropriate fee
- Please see [supporting information for planning applications](#) for more information.

8.2 We are legally required to consult on applications with individuals who may be affected by the proposals. We would put up notices on or near the site and, advertise in a local newspaper. The Council must allow 21 days from the consultation start date for responses to be received.

8.3 It is likely that that a proposal of this size would be determined under the delegated powers. For more details click [here](#).

This document represents an initial informal officer view of your proposals based on the information available to us at this stage and would not be binding upon the Council, nor prejudice any future planning application decisions made by the Council.

If you have any queries about the above letter please do not hesitate to contact Samir Benmbarek on 0207 974 2534

Thank you for using Camden's pre-application advice service.

Yours sincerely,

Samir Benmbarek

Planning Officer
Planning Solutions Team