

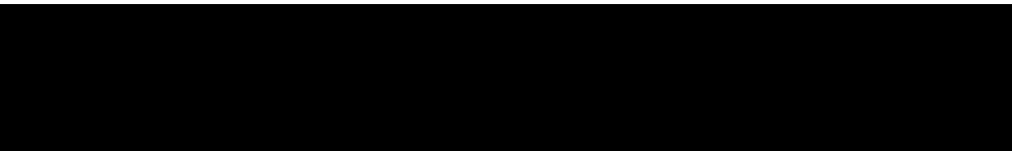
Kristina Smith
London Borough of Camden 5th floor
5 Pancras Square
London
N1C 4AG

21st November 2019

Dear Ms. Smith,

Town and Country Planning Act 1990.
46 Inverness Street, London, NW1 7HB
LB Camden ref: 2019/5075/P

Erection of two storey (plus basement) 2-bed dwelling house (Class C3) following demolition of existing single storey building (Class A3).



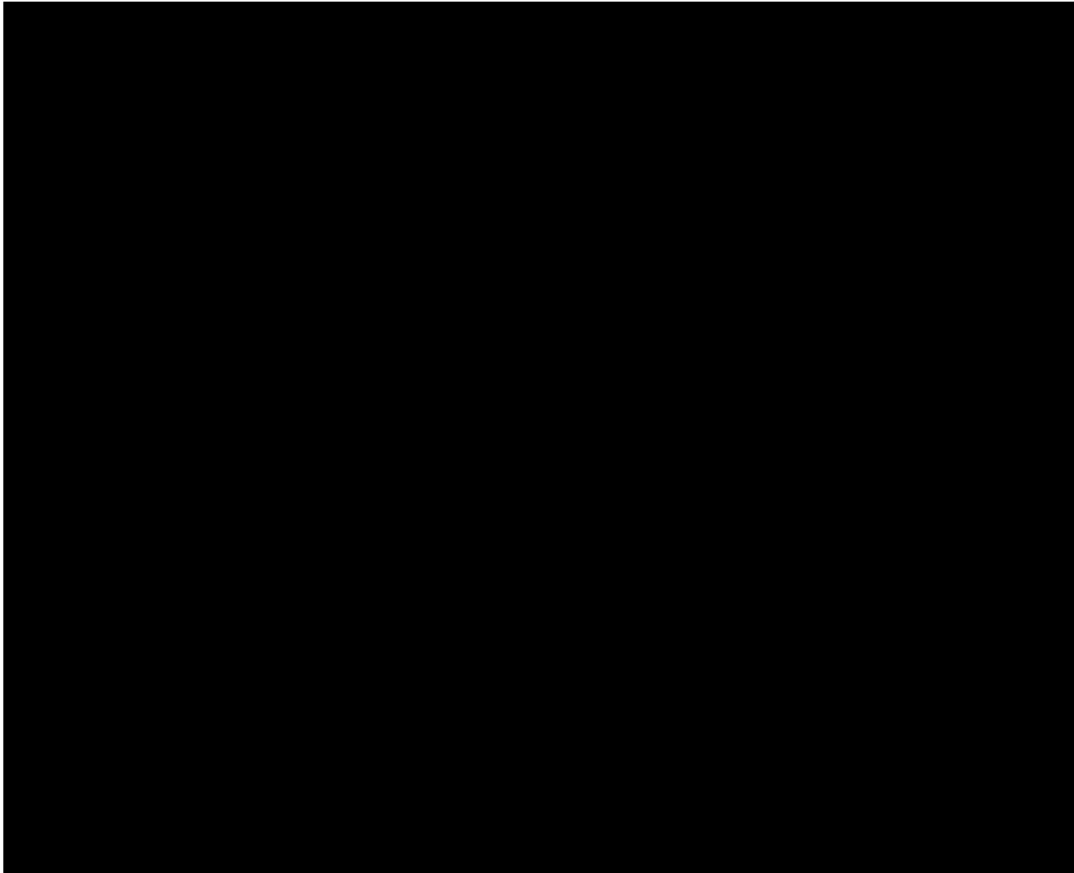
1.The principle.

This site is wholly unsuitable for this scale of development. It is a very small tightly constrained plot that is not suitable for the proposed 2-storey infill dwelling with basement. Its boundary sits forward of the prevailing front building line. It has no depth. The site cannot accommodate any increase in development over and above the existing building.

2.Design and Heritage impact.

The existing building.

The existing building retains an appropriate degree of subordinacy between my client's [REDACTED] Both are Grade 2 Listed. [REDACTED] The rendered façade of the structure blends into the stucco ground floor façade of No. 44 Inverness Street. The historic side return gap is also maintained.



The proposed building.

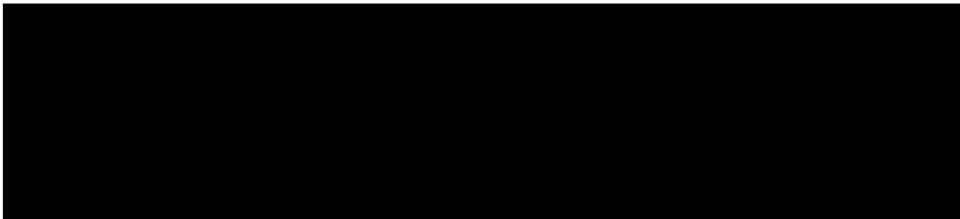
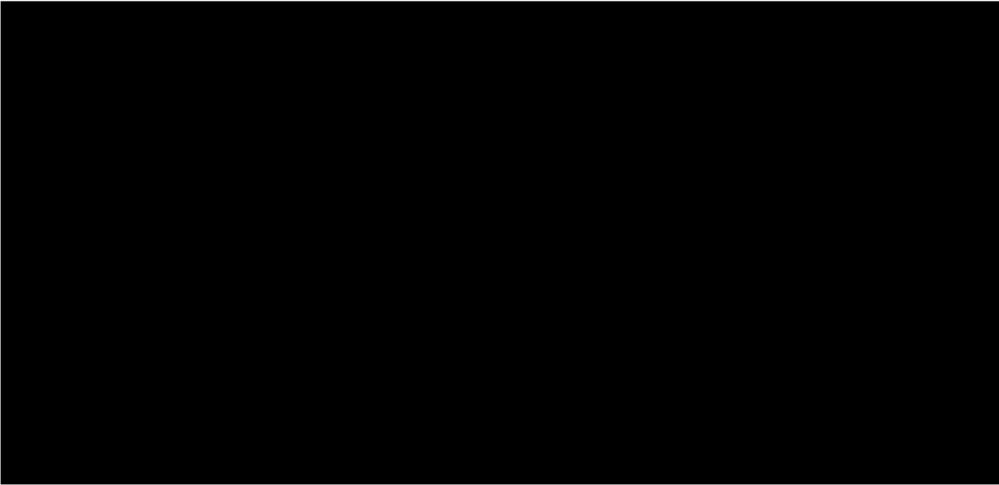
In contrast, the proposed 2 storey dwelling would be shoehorned onto the site. The first floor would crash into the flank elevation and the side entrance of No. 24 Gloucester Crescent. It would also poorly align with the façade of No. 44 Inverness Terrace.

Helpfully, the applicant has produced some rendered views. These illustrate these issues quite nicely.



The flank of the new dwellings would project beyond the listed side entrance, obscuring architectural detailing. The drawings show a slight reveal, but the reality is this is so small it will not be apparent from most street views.

The first floor also obscures views of the listed rear elevation of No. 24 Gloucester from the street and its historic staggered sash window pattern.



The applicant's response is to recess a section nearest No. 44 Inverness Street. So, there is a slight degree of improvement. However, this small setback would not compensate for the impact of the additional floor and the fact that most of the façade would still be off the back edge of the pavement. This projection would be jarring and poorly relate to the adjacent terrace on Inverness Street, which is set back from the pavement by over 1m.

The clash would be compounded by the siting and size of the proposed openings in the façade of the proposed building. The proposed openings have less verticality, are narrower and their placement in the façade has little relationship with the pattern and placement of windows in both of the Listed buildings. Overall the proposed façade is discordant and would disrupt street rhythm.

The gap.

Section 2.7 of the design and access statement acknowledges that the existing gap affords views of the mature trees in the rear gardens. This view is considered to be a positive attribute of the conservation area. It would be lost by the proposed development.

It also refers other gap sites, claiming they are unplanned and the buildings that occupy these spaces are unremarkable. Again wrong. The gap marks the end of the planned shaped of the Crescent. It helps to define the distinctive curve of the Crescent. One only has to look at the photos in the applicant's heritage statement (page 190), to appreciate the importance of the gap.

The buildings that occupy gap sites might be poorer quality, but this is to be expected as they form outbuildings or single storey elements at the rear of a building. However, all the examples detailed in the applicant's statement are all single storey. This ensures they respect the hierarchy of the principle frontage buildings and they provide a break between the difference terraces. This is important in the context of the area because the terraces were often built by different speculative builders and there are slight variations in their appearance.

Although not seen in the same context, the ends of the Crescent display a strong degree of visual symmetry. The proposal to 'bolt' a dwelling onto 1 end of the Crescent would disrupt the symmetry under undermine its historical significance.

Character.

The submission plays on the fact there is a greater variety of buildings on Inverness Street and this is not disputed. However, the site cannot be viewed solely in the context of this street. It's equally, if not more, allied to Gloucester Crescent and the Primrose Hill conservation area,

Design.

There is not a lot to say about the design. It is uninteresting and devoid of any architectural detailing. Its block house appearance detracts from the rich and ornate surroundings.

The design is straight out of the architect's manual (brick, deep reveals, aluminium windows). It's a standard that is rolled out on all sites across London. Mostly it works, but not here. Its quality is not good enough for a site in a conservation area and certainly not for a site that is sandwiched between 2 listed buildings.

If any new building is to be accommodated on this site, then it requires a carefully considered, bespoke design that better responds to the constraints of the site. It has to be smaller.

My client is keen to stress that the bulk of any new development should only be single storey. I agree. A first floor introduces too much massing and scale on a very constrained site. It blocks a gap which makes an important contribution to the character of both Conservation areas.

Under the circumstances this application should be referred to the design review panel.

Materials.

There are some examples of contemporary infills along Inverness Street that use a similar brick, but the proposed brick would contrast with the facing bricks on both of the adjoining listed terraces. These are the closest buildings to the site and not the infills, which are also outside the Primrose Hill conservation area. The contrast is amplified by the use of black aluminium windows.

The basement.

The proposed basement would be contrary to Local Plan Policy A5 (basements). This states that the siting, scale and design of basements must be subordinate to the host property. Specifically, it states:

- it must be less than 1.5 times the footprint of the host building;
- it must be set back from neighbouring properties side boundaries where it extended beyond the footprint of the building.

As proposed the basement would extend across the entire footprint of the site and beyond the footprint of the building in the form of the front light wells, which as proposed would be constructed without any setback from the neighbouring properties.

Policy.

Court decisions have made it clear. Heritage comes first. The Planning (Listed Building Act and Conservation Areas) Act (1990) requires councils to have special regard to the desirability of preserving the special interest of Listed buildings, Section 66 (1) and conservation areas and their settings, Section 72 (1).

It has been demonstrated the development would fail to preserve the setting of both of the adjoining Listed terraces and features of special architectural interest (which in this case is the side entrance to No. 24 The Crescent).

It has been demonstrated that the development as proposed would fail to preserve or enhance the character of the conservation area. The development would appear cramped, incongruous and harm views in and out of the Primrose Hill and Camden town conservation area.

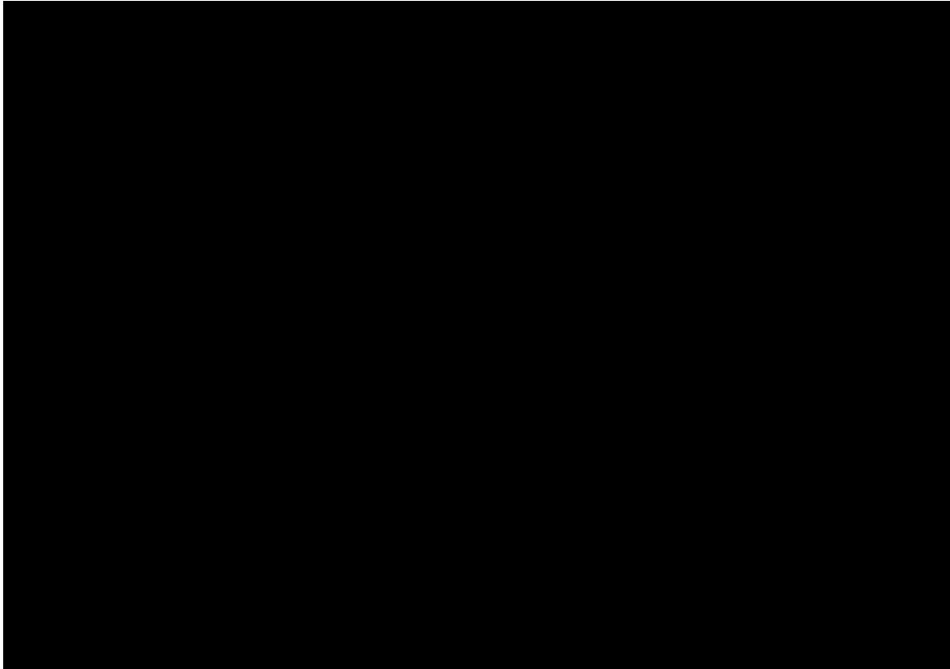
The NPPF defines harm as either substantial or less than substantial. In the context of the stated definitions the degree of harm falls into the less than substantial harm category.

Paragraph 196 of the NPPF states that in these circumstances, harm should be weighed against the public benefits of the proposal. In this case there are no public benefits that would outweigh the harm created to the adjacent Listed buildings or the setting of the conservation area. The default position is therefore a refusal.

The suggested reason for refusal is as follows:

The proposed development, by reason of its siting, scale and design would appear cramped and incongruous on this restrictive plot. It would fail to preserve the special interest of adjoining Listed buildings and the setting of the Primrose Hill Conservation Area and Camden Town Conservation Area. The application is therefore contrary to Policies D1 (Design) A5 (basements) and D2 (Heritage) of the Camden Local Plan.

3. Impact on adjoining occupiers.



The impact of the development on conditions of daylight and sunlight has been examined in a separate letter produced by Delver Patmanredler.

They have expressed concerns about Waldram's reliance on a generic 3D model rather than accurate on-site survey information. They also raise concerns about loss of light to my client's small courtyard garden and the resultant impact upon light to windows on the lower ground and ground floor.

They are also concerned that the assessment is incomplete. Shadow trajectories need to be provided for every month between March and September. Only then can a fair and accurate assessment be made. Although, if the council is minded to refuse because of the applications

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multiple failings, then it is suggested 'a failed to demonstrate' reason for refusal could be added to the decision.

My client is also concerned about the impact of the proposed basement accommodation, which would wrap around part of the rear and flank elevation of their property. If done incorrectly it could undermine the structural integrity of their property and the wider Crescent.

The suggested reason for refusal is as follows:

sunlight that would harm the living conditions of the residential occupiers of this property. The application is therefore contrary to Policies A1 (Managing the impact of development) and D1 (Design) of the Camden Local Plan 2017.

4. The standard of the accommodation.

The proposed layout is substandard.

Room layout

The master bedroom on the first floor has a restrictive width, with a pinch point that is only 1.8m wide. Another part of the bedroom is only 1.9m wide. To accord with the national described standard the minimum width of a double bedroom should be 2.75m.

Size

The GIA of the proposed house would be 88.45m². It would be arranged over 3 floors and would accommodate 2 bedrooms. It is not clear whether this would be satisfactory because the national described space standards are silent on this type of dwelling. However, there are concerns about the lack of an integrated cycle and refuse and recycling store (see following section). If these elements were integrated into the footprint of the building, then the GIA would be reduced by anything up to 10m².

Daylight and sunlight

The second bedroom in the basement would be solely reliant on light and outlook from the shallow front lightwell. The applicant's daylight sunlight report confirms this room does not pass the relevant BRE tests.

Labelling it as guest bedroom is immaterial. It is large enough to form a second bedroom and the council has no control over the use of this room should planning be granted.

Aspect

The development is single aspect. This is contrary to Camden's local plan policy D1 (para 7.32) and emerging London plan policy which states:

A single aspect dwelling should only be provided where it is considered a more appropriate design solution to meet the requirements of Policy D1 London's form and characteristics than

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a dual aspect dwelling and it can be demonstrated that it will have adequate passive ventilation, daylight and privacy, and avoid overheating.

If, contrary to all the points raised in this letter, the council feel that the development is acceptable, then the council is asked to impose a safeguarding condition to remove all permitted development rights.

This is to prevent the applicant from inserting windows in the first-floor rear elevation of the proposed dwelling. These would directly overlook my clients garden and windows in the rear of their property. Even if they were obscure glazed and fixed shut, such is the relationship that my client would suffer the perception of being constantly overlooked.

Amenity space.

No amenity space is proposed. This is contrary to criterion L of Local Plan policy D1. This expects to see outdoor amenity space in all forms of new development.

Accessibility.

Access to all floor would be via a spiral staircase. The cramped internal layout means it is also not possible to install a potential lift run to all floors. The application is therefore contrary to Policy H6 which requires all new homes to be accessible and adaptable in accordance with building regulation M4 (2) standards.

The suggested reason for refusal is as follows:

The proposed development by reason of its size, poor conditions of light and outlook to habitable rooms, single aspect layout and no private amenity space would fail to provide satisfactory standard of accommodation for potential occupiers. This would be contrary to Policy D1 (Design) and Policy H6 of the Camden Local Plan 2017.

5. Technical requirements.

Refuse and recycling.

The proposed development provides no refuse and recycling store. As designed, there is also no scope to provide a ventilated store within the building. This is contrary to criterion d of Local Plan Policy CC5 which seeks to make sure that all new development includes facilities for the storage and collection of waste and recycling.

Without a dedicated store there is a possibility that bins will be left on the street. This is an unsatisfactory and would detract from the surrounding character of the conservation area.

Cycle parking.

The proposed development generates a requirement for a minimum of 2 covered and secure cycle parking spaces. However, no dedicated store is proposed. The lack of any cycle parking is contrary to criterion h of Local Plan Policy T1, which expects cycle parking to be provided at a level which exceeds the London plan minimum standards.

The suggested reason for refusal is as follows.

The proposal fails to provide a satisfactory standard of development by virtue of no cycle parking or refuse and recycling storage. This is contrary to Policies CC5 and T1 of Camden's local plan (2017).

6. Affordable housing.

The applicant's planning statement is silent on the provision of an off-site affordable housing contribution, despite the fact that Policy H4 of the Camden's local plan expects a contribution to affordable housing on all developments.

The suggested reason for refusal is as follows.

The proposed development, in the absence of a legal agreement to secure an appropriate contribution to affordable housing would fail to contribute to the borough's affordable housing needs, contrary to policies H1 (Maximising housing supply) and H4 (Maximising the supply of affordable housing) of the London Borough of Camden Local Plan 2017

7. Other matters.

Land Use

The 2016 pre-app refers to the existing building as an A3 use. However, has not been used as a restaurant for the last 20 years. The last occupier was an A1 retailer. The design and access statement also confirm's the premises were last used as a record shop.

The site may be better regarded as being nil use, because the unit has been vacant since the record store stopped trading 10 years ago.

My client does not oppose the residential use of the site in principle. It is noted, however, that the applicants are wrongly under the impression that they can still use the site for A3 use. Therefore, it is important that any assessment also determines the lawful use of the building.

The pre-app.

The planning statement refer to a pre-app (ref 2016/1657/PRE). The statement claims that all the council's concerns have been addressed because the building has been lowered by 1.1m, better gaps have been introduced between the listed buildings, window designs have been simplified and it is now subordinate.

However, as listed in the planning statement, the council's pre-app concerns are significant. They would not be resolved by lowering the height of the building by 1m, tweaking the window design and introducing gaps that are a few millimetres in width.

A review of the 2015 application that was withdrawn reveals many similarities between both schemes.

The pre-app was undertaken 3 years ago. Any weight given to pre-app advice normally diminishes normally after 1 year. Also, Camden have since adopted a new local plan.

Living conditions.

Paragraph 4.8 of the planning statement refers to the fact there is no amenity space because of site constraints. It states this was not a problem when pre-app was undertaken.

Paragraph 4.10 states there is no opportunity to store waste. Again, the statement says this is not a problem because of the pre-app advice.

These responses are unsatisfactory. As stated, the council has since adopted a new local plan and many of the comments in the pre-app have been superseded by changes in policy.

Dilapidation.

Para 2.6 of the heritage statement argues the building is dilapidated and makes a negative contribution to the character of the conservation area. It goes onto argue that fundamentally it would still detract from the conservation area even if it were renovated. The heritage statement goes a step further and describes the building as an eyesore.

Firstly, dilapidation is not a reason to demolish and replace a building in a conservation area, particularly if has been poorly maintained. Secondly, the arched section of the building dates from the 1840's. Who is to say that if the building is sensitively renovated that it would still make a negative contribution?

The current condition of the existing building in no way justifies the proposed replacement building.

wouldn't be seen from the street, so it does not make the proposed dwelling any more subservient in respect of its relationship with the Listed buildings.

Drawings.

The drawings are incomplete because they do not show the proposed lower ground floor front elevation.

Red line site.

The proposed basement retaining wall appears to extend underneath the pavement. The applicant should be required to serve the relevant certificate B notice on the council. Similarly, as existing ½ the back wall of the existing building is staggered. As shown on the proposed drawings this stagger is removed which would suggest that part of the proposed rear wall of the dwelling would extend onto my client's property. Again, the relevant notice needs to be served.

The draft CMTP.

The draft CMTP raises a number of serious concerns.

The response to Q11 states that welfare facilities, skips and plant materials should be on the site itself. However, given the restrictive size of the site this will not be possible.

The response to Q20 states the adjoining footway must be kept free from obstruction. However, it is difficult to envisage how this can be satisfactorily achieved with no space for on-site facilities and the constraints associated with removing spoil from the site.

The CMPT estimates that throughout construction the numbers of vehicles visiting the site will be limited to 2-3 vehicles. This is a very low estimate and is not considered to be realistic, particularly during the intensive phases of construction and the basement dig.

8. Conclusion.

The applicant's submission tries to put a positive spin on the issue of planning balance and heritage impact, but it is obvious the scale of the development is too much for this small and sensitive plot.

It is also obvious that the new house would fail to preserve the special character of both of the listed terraces, crashing awkwardly against both buildings.

Similarly, it is impossible make a convincing a case that it would preserve the conservation area. It will close a valuable gap in the street scene, and it will appear as an incongruous addition, particularly if viewed from within the Primrose Hill conservation area.

It is evident the submission fails to overcome many of the key concerns raised by the council's pre-app advice.

It would harm the living conditions of my client and there are multiple shortcomings associated with the standard of the proposed accommodation.

The council is therefore respectfully asked to refuse planning permission.

Yours sincerely,

Andrew Hollins
Consultant Chartered Planner
MA MRTPI