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Our ref: 9535

20 November 2019

Dear Sir/Madam,

PLANNING APPLICATION 2019/5075/P:- THE DEMOLITION OF THE EXISTING DERELICT BUILDING LAST USED AS A RESTAURANT (USE CLASS A3) AND THE REPLACEMENT WITH A TWO-STOREY PLUS BASEMENT RESIDENTIAL PROPERTY.

THE SITE: 46 INVERNESS STREET, LONDON NW1 7HB

The Site and Proposed Development

The site, which is located on the north side of Inverness Street, is occupied by a single storey white rendered building on a small plot of 32sqm and is tightly contained by the neighbouring [REDACTED] Whilst it is not a listed building, nor has it been particularly well maintained, it does fall within the Primrose Conservation Area and makes a neutral contribution to the character and appearance of the street.

We also note that the application follows the submission of a similar proposal in 2015 under application 2015/0493/P which was withdrawn. The proposed development currently under



consideration would be an evolution of that design and also follows pre-app discussions with Officers. A summary of the advice given is set out on pages 5 and 6 of the Planning Statement and although we acknowledge that this application seeks to address the issues raised, strikingly, the listed officer comments are not small in number and are predominantly negative.

We set out our own assessment below.

Principle and Design

Camden's Local Plan, Policy H1, acknowledges that the Council will aim to secure a sufficient supply of homes to meet the needs of existing and future households, including making use of sites which are underused or vacant. However, this is not at any cost and sites also need to be acceptable in all other respects, as assessed against the other development plan policies, unless material planning considerations allow otherwise.

Amongst the other policies, the Council's states under Policy D1 that they will seek to secure high quality design in development. This is also a key objective of the National Planning Policy Framework (NPPF), which states that:

"Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents."

Whilst we acknowledge that the proposal has a different design to the withdrawn application from 2015, which presumably it seeks to improve on, its entirely brick façade would still be at odds with the white render at ground floor level, which currently follows a continuous line from the corner with Gloucester Crescent and adjacent terrace, breaking up that visual feature. At two storeys in height, it will also emphasize the projection of the building forward of the main building line, which is also out of keeping with the existing form of the street.

Indeed, anything beyond the existing height would not be appropriate for the application site. It should therefore continue to appear as a single storey building to be subordinate to the listed buildings on either side and maintain the break between the two terraces. Consequently, the proposed dwelling will represent a contrived form of development on a site that is not capable of accommodating development that is much beyond what is already there.

The limitations of the plot will also mean that no outdoor amenity space is to be provided for the future occupiers, in conflict with Policy D1 which requires residential proposals to include outdoor amenity space. This is justified by the Applicant by the proximity of Regent's Park, however that does not overcome the lack of private amenity space, including the lack of space for simple provisions such as bikes or bins.

The small area available for the building also means that the living space is not well formed and also provides little outlook for the occupants. Indeed, it would not be possible to add additional windows at the rear without causing harm. The tightness of space is also aptly demonstrated by





the need to have a spiral staircase, which serves to save space, but is not particularly practical nor does it promote lifetime home principles. Combined with the lack of external amenity space, the lack of outlook will add to the less than optimal living conditions.

Design is of course subjective and therefore in the interests of fairness, we would ask that the Council put the application in front of its Design Review Panel, to enable the design to be professionally critiqued.

Basement

The proposal also includes a basement level, which are assessed against Local Plan Policy A5, which states that the Council will only permit basement development where the proposal would not cause harm to:

- a. neighbouring properties;
- b. the structural, ground, or water conditions of the area;
- c. the character and amenity of the area;
- d. the architectural character of the building; and
- e. the significance of heritage assets.

Although it is noted that a Basement Impact Assessment has been prepared for the Applicant which seeks to reassure the Council that it can be safely constructed, it is clear that the small and confined nature of the site will make this a complex engineering operation. There is therefore a risk that neighbouring properties, which would need to be underpinned, could be damaged as a result of the basement.

Furthermore, no detailed analysis seems to have been taken in respect of potential impacts from noise and vibration during the construction phase. Indeed, given the challenging nature of site, there is likely to be a long period of disruption to neighbouring amenity during the construction phase. Given the proximity of the neighbouring buildings, the potential of damage to those properties is heightened and therefore these impacts need to be more fully considered.

We would therefore urge the Council to request additional information from the Applicant on the effects of the proposed development on the neighbouring properties and for safeguards to be put in place that can be controlled through planning conditions.

Heritage

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on the local planning authority to have special regard to the desirability of preserving any listed building or its setting, including any features of special architectural or historic interest which it possesses. In addition, Section 72 states that special attention shall be paid to the desirability of conservation preserving or enhancing the character or appearance of Conservation Areas.

Local Plan Policy D2 also reflects the above requirement.





In assessing the proposal, a Heritage Impact Assessment has been prepared and submitted as part of the application. It has found that the existing building *“detracts from the character and appearance of the conservation area and the setting of listed buildings and should be replaced”*. It then goes on to argue that the proposed development would be an enhancement.

However, the building is not beyond repair and as made clear by the NPPF, neglect is not a material planning consideration in considering the deteriorated state of a heritage asset (including Conservation Areas). In our opinion, the existing building makes a neutral contribution to the character and appearance of the conservation area. Indeed, whilst it may not be in prime condition, it is in keeping with the character and appearance of the area and does not materially detract from it.

The proposed dwelling on the other hand will contrast with the more traditional form of the neighbouring properties, and by projecting forward of the main building line, will appear overly prominent in the street scene. Whilst the current single storey wall of 46 Inverness Street does already step forward of the building line, its scale does not look out of place, whereas a 2 storey addition would look incongruous within its setting. It will also impact on views of the side entrance to No.24 which is a significant part of the listed building, as mirrored of the other end of the terrace.

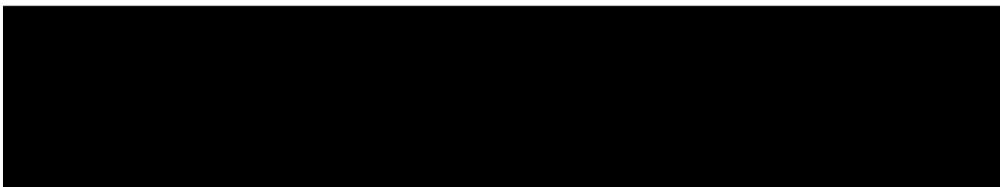
The existing building also provides an important transition point between Inverness Street and Gloucester Crescent, including a gap between the two terraces, which also offers views of trees within the back gardens. As acknowledged in the Heritage Impact Assessment:

“This is the key view from the public realm that identifies the significance of the gap as bringing both light and green space into the streetscape”

The erosion of this gap and views to trees behind will also have a detriment impact on the character and appearance of the Conservation Area and this is another consequence of the proposed building being too high.

Accordingly, there would be harm to the setting of the neighbouring listed buildings and the proposal will detract from the character and appearance of the Conservation Area.

Neighbouring Amenity



Given the orientation of the site, the amount of direct sunlight received by both gardens will also be affected. This is defended by the Applicant on the basis that the BRE Guidance on sunlight states that only 50% of the garden needs to receive 2 hours of sunlight on the 21st March (the



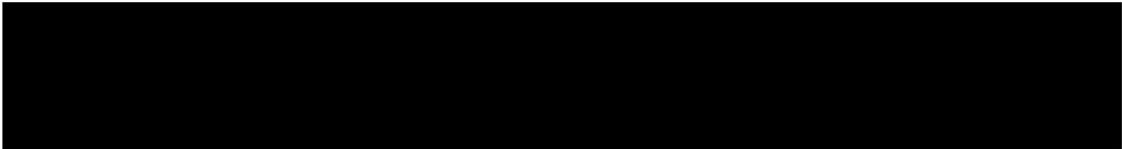


Equinox), however we would point out that this is only guidance and does not necessarily reflect the true impacts.



Therefore, to be able to more fully understand the potential consequences of the development on this issue, our client has sought advice from Delver Patman Redler (Chartered Surveyors). For your information, we enclose their letter which highlights potential shortcomings with the computer analysis undertaken. As per their recommendation, we would request that the Applicant be required to commission an appropriate measured survey and provide an updated report with more accurate results.

We would also ask that the Applicant be asked to provide a drawing showing the actual course of shadow on for every month between March and September to allow a balanced decision to be made.



Summary and Conclusions

Whilst the Local Plan identifies a need for additional housing within the Borough, this should not be at any expense and development proposals still need to comply with the Council's policies on design, heritage, amenity, etc.

In this case, the site is severely constrained by its size and proximity to other buildings but is also in a sensitive area in terms of its heritage value. These combine to make the site less suited to redevelopment. Indeed, the proposed development is not in keeping with the character and appearance of this part of the street and will introduce a prominent building that is at odds with the prevailing form in terms of height, scale, and siting.

The resulting proposal is a contrived form development that seeks to develop a site which is not suitable for the scale of development being proposed.

The tightness of the site will also mean that the proposal will offer no external amenity space or areas for important incidentals like bike and bin storage. This is then amplified by the limited internal space and poor outlook from the proposed property. Neighbouring amenity will also be harmed through the loss of outlook and sunlight to the gardens.





It also includes a basement which is likely to be difficult to construct and would require significant engineering works to safeguard neighbouring properties. The risks to those properties from the construction, including potential impacts from noise and vibration have not been fully assessed.

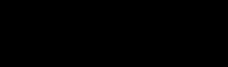
The result of the above is that the proposal will also fail to preserve or enhance the character and appearance of the Conservation Area and will harm the setting of nearby listed buildings. As no public benefits have been put forward that outweigh that harm, the proposal is unacceptable in this respect.

In considering the above, the proposed development fails to accord with the Council's Development Plan policies and no material planning considerations weigh in favour of the development.

Our client therefore wishes to **object** to the planning application.

Yours faithfully

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