



Planning Solutions Team
Planning and Regeneration
 Culture & Environment
 Directorate
 London Borough of Camden
 2nd Floor
 5 Pancras Square
 London
 N1C 4AG

www.camden.gov.uk/planning

Date: 16/12/2019

Our ref: 2019/5038/PRE

Contact: Nora-Andreea Constantinescu

Direct line: 020 7974 6253

Email: nora-andreea.constantinescu@camden.gov.uk

Dear Chris Hicks,

Re: 3 Long Yard, WC1N 3LS

Thank you for submitting a pre-planning application enquiry for the above property which was received on 1st of October 2019 together with payment of £3,708.81 received on 21st of October. I write following our meeting at the property on 30th of October 2019.

1. Development Description

1.1 The proposed development includes:

- Demolition of existing extension to office building at no. 3 Long Yard
- Erection of 2 x 2 bedroom dwellings within part on the communal garden of Rokeby House
- Enhancement of the remaining communal garden at Rokeby House
- New entrance for the office extension building

2. Planning History

2013/3908/P - Demolition of 6 Long Yard and redevelopment with 1 x 3 bedroom mews house (Class C3), demolition of rear of 3 Long Yard and replacement with 1 x 4 bedroom mews house (Class C3) fronting Millman Mews and roof and rear elevational alterations to 3-5 Long Yard (Class B1). – **Refused**

Application refused subject to five reasons for refusal where four were subject to a s106 agreement in relation to car-free, highways contribution, CMP and post construction sustainability review. The main reason reasons for refusal was:

1. *The proposed development of land to the rear of 3-5 Long Yard, by reason of the encroachment onto a communal gated garden, would be detrimental to the amenity of neighbouring residents contrary to policy CS15 (Protecting and improving our parks and open spaces and encouraging biodiversity) of the London Borough of Camden Local Development Framework Core Strategy, policies DP24 (Securing high quality design) of the London Borough of Camden Local Development Framework Development Policies.*

2014/0439/P - Demolition of 6 Long Yard and redevelopment with 1 x 3 bedroom mews house (Class C3), with roof and rear elevational alterations to 3-5 Long Yard (Class B1). – **Granted subject to section 106 legal agreement – Dated 10/12/2014**

3. Site description

3.1 The application site is formed by the communal garden of Rokeby House and the rear extension of no. 3 Long Yard, located at the end of Millman Mews. The site lies within Bloomsbury Conservation Area.

4. Assessment

4.1 The main issues for consideration are:

- Land use
- Heritage and design
- Quality of accommodation
- Impact on amenity, trees and garden
- Transport and Planning obligations
- Sustainability

4.2 The previous development proposed under application 2013/3908/P included one dwelling on the site of the communal garden at Rokeby House and the rear of no. 3 Long Yard. The extent of the new structure is similar to the one refused under the previous application. In order to gain the officers support, the applicant would need to demonstrate how the reasons for refusal have been addressed.

Land use

4.3 The existing office extension to no. 3 Long Yard has a floor area of 45sqm with a triangular shape, and it is currently used as storage space in association with the main building. Due to its shape, the usability of this space is limited for office use. The proposal includes re-provision of the office space of 49sqm in a more appropriate shape along the full width of the building at no. 3 at ground and first floor levels. The re-provision of the employment space is in accordance with policy E2 and therefore likely to be supported by officers in the event of a future planning application.

4.4 The existing communal garden is gated and used solely by the residents of 14 flats at Rokeby House. The garden has an area of 346sqm with grassed areas, shrubs, bushes and trees. The proposed development, including the office re-provision, would occupy an area of 238sqm, which results in 111sqm of the existing garden being lost. The space is not designated open space but it is a garden which serves a housing estate and therefore protected under policy A2 stating that the Council will 'safeguard open space on housing estates while allowing flexibility for the re-configuration of land uses'. When assessing development proposals we will take the following into account:

- i. the effect of the proposed scheme on the size, siting and form of existing open space and the functions it performs;

- ii. *whether the open space is replaced by equivalent or better provision in terms of quantity and quality; and*
- iii. *whether the public value of retaining the open space is outweighed by the benefits of the development for existing estate residents and the wider community, such as improvements to the quality and access of the open space.*

4.5 Given the previous decision at Planning Committee and the policy, the acceptability of a scheme in this location would be challenging. You will need to reflect on what has changed since the refusal (circumstances, proposals, policies), and provide a detailed assessment of the current open space and the resulting one. The assessment should state clearly how the remaining space would be improved and what would be the benefits for residents. Most importantly, you should undertake consultation with the residents and local groups, as well as ward Cllrs, as part of the assessment and prior to submitting any new application to the Council.

4.6 Council records show that the application site has the potential for contaminated land and also sits within an archaeological priority area. As part of a future submission you should consider a proportionate response to these constraints, considering the proposed development and the level of excavation required.

Heritage and Design

4.7 Long Yard is a no through road and densely built up, accessed from Lamb's Conduit Street. 18th Century maps show the yard was previously a stable yard and this is reflected in the 19th Century stock and red brick stable mews-type buildings still standing at nos. 3 and 4-5 Long yard. These buildings are identified as positive contributors to the conservation area in the Bloomsbury Conservation Area Statement.

4.8 The existing frontage onto Millman mews is poor, with a rendered blank wall facing the street. The proposal would provide an active frontage in this location, which would enhance the visual amenity of the street. In terms of bulk and scale, the proposed structure fronts directly onto the yard, and would have two storey in height, with eaves which align with adjacent buildings, which is acceptable in principle.

4.9 The pre-application submission includes a character analysis of the immediate surroundings and identifies elements of distinct character, dominated by stock brick and timber detailing. These elements have been introduced in the new scheme which is accepted. However, in terms of detailed design it is considered that further consideration should be given to the opening proportions and alignment. A balcony is proposed on the front corner of the building facing Millman Court, with a higher parapet line. Due to its large expansion, height and detailed design, it appears to dominate the front and side elevations. You are advised to explore different designs, positions and locations for the balcony, to result in a more solid front/side elevations and be more coherent with the mews character. A possibility could be to place the balcony on the rear elevation, however you would need to consider any impacts on the neighbouring amenity.

- 4.10 In terms of impact on Bloomsbury Conservation Area, Conservation Officers consider that the improvements to the street facing elevation due to the proposed design would outweigh the minor loss of open space. However, it is highlighted that policy D1 also requires new development to integrate well with the surrounding streets and open spaces, improving movement through the site and wider area with direct, accessible and easily recognisable routes and contributes positively to the street frontage, responds to natural features and preserves gardens and other open spaces, incorporates high quality design and maximises opportunities for greening through planting of trees and other soft landscaping. It is important that in the event of a future planning application (or further pre-application), the proposal clearly demonstrates how the requirements of policy D1 have been addressed.
- 4.11 The proposed enhancement of the remaining communal garden at Rokeby House to include seating, BBQ area, lighting, cycle storage, clothes drying areas, living walls, and additional planning and habitat would be supported in the event of a future planning application, subject to detailed design of these spaces. These details should be worked up in consultation with residents.
- 4.12 It is noted that the office building at no. 3 Long Yard has an access door into Millman Mews, and it is proposed for this to be refurbished and redesigned. The solid dark metal proposed to clad the entrance appears unsympathetic to the neighbouring environment. It is noted that the structure exists in a similar form, however it is considered that this could be better integrated into the building design.
- 4.13 Due to the proposed development nature, expansion and constraints, you should consider a follow-up pre-application advice, after consulting with residents and local groups. Subject to this pre-application, you are encouraged to consider the Chair's Review part of Camden Design Review Panel. Considering the architectural composition and detailed design proposed, it would be a good opportunity to get independent and impartial advice from professionals in the fields of architecture, inclusive design, etc.

Quality of Accommodation

- 4.14 The ground floor flat would have an area of 81.5sqm and the one at first floor level an area of 99.5sqm. Both flats are designed with two bedrooms for four people and both exceed the national minimum standard of 70sqm. Both flats would be dual aspect with large window openings to allow adequate levels of natural light, and adequate internal height.
- 4.15 It is noted that storage areas are not indicated on the plans, however the internal layout could accommodate the required 2sqm of built-in storage for each flat. This should be indicated on the drawings in the event of the future application. The internal layout appears to be adaptable for a range of occupiers and needs.
- 4.16 In terms of accessibility, it is noted that the flats entrances are adjoining the carriageway which has a single yellow line waiting restrictions in place of the CPZ bays. There is no footway or amenity space between the carriageway and the proposed dwellings entrance, which could restrict access into the buildings if cars are park in this location. You are advised to consider a set back from the carriageway

of at least 450mm behind the kerb, in order to accommodate an adequate relief distance from the street. There are ways to address this constraint through deeper openings for windows and entrance doors, which could accommodate planting for protection but also enhanced biodiversity.

- 4.17 The removal of the existing parking spaces will be discussed in transport section below.

Impact on amenity, trees and garden

- 4.18 The main issue for consideration in relation to the proposed scheme is the impact on the neighbours at Rokeby House, due to the partial occupation of the existing open space. Policy A1 stresses that the Council seeks to ensure that amenity of communities, occupiers and neighbours is protected, and that development contributes towards strong and successful communities by balancing the needs for development with the needs and characteristics of local areas and communities.

- 4.19 As discussed in the land use section above, it is important that you undertake consultation with the occupiers at Rokeby House, prior to any further submission. Information about the way the garden is used at the moment and how residents would like to see it improved, could help you in exploring how the new development could address their needs. The enhancement of the communal garden would be beneficial for the residents, biodiversity of the site and wider area; however, you are encouraged to discuss with residents the proposed improvements and ensure they respond to their needs.

- 4.20 In terms of impact on the levels of natural light to the surrounding occupiers, you should provide a Daylight and Sunlight assessment which demonstrates that no harm would be caused to the neighbouring amenity. In terms of privacy or overlooking, due to the design of the window openings and their orientation would not be considered to cause overlooking issues to the neighbouring amenity. The proposed terrace facing the street is similar with the ones at the Millman Court opposite the application site, and therefore is not considered that harmful impact would be caused in terms of overlooking.

Transport and planning obligations

- 4.21 The proposal includes removal of two parking spaces (one for business permits and the other for residents) along the flank wall of the office extension. Transport Officers confirmed that any proposal to remove parking bays would be subject to a Traffic Management Order (TMO) consultation. This is separate to the planning process and would require consultation by the Council. Given the central London location of the application site, the traffic pressure on the existing parking spaces is very high, which makes it very difficult to find a replacement bay nearby. Following any TMO consultation the removal of the bays would be assessed again by transport officers. It is suggested that as part of a future pre-application process you consult local residents and the Council's transport service.

4.22 In front of the office extension's flank wall there is a kerb which forms the eastern boundary with a strip of higher level surfacing between the kerb and the wall. The highway authority is responsible for ensuring the road is properly drained and one function of the kerb is to help prevent surface water from flooding private property. This also helps protecting private property from vehicle overrun. As such, a setback of a minimum of 450mm behind the kerb could address these issues. As it stands the proposal would not be supported by Transport Officers on safety and impact on amenity grounds.

4.23 In line with policy T2 the development would be car free and this would be secured via a section 106 legal agreement (if a planning application were to be successful). Due to the location of the site and central London traffic pressure, the development would require a Construction and Demolition Management Plan (CMP), as well as a highways contribution. It is noted that the CMP would require some information in relation to dust and air quality to be considered as part of the construction works, especially due to the close proximity of the application site to sensitive receptors such as Zayed Centre for Research and the nursery at no. 6 Long Yard.

4.24 The current scheme proposes the creation of 182sqm (GIA) of residential floorspace which would trigger an affordable housing contribution in line with Policy H4. The sliding target in this instance would require a provision equal to 4% of the total C3 floorspace (expressed in GEA). It is accepted that a payment-in-lieu is often the most appropriate means to secure this provision in schemes of under 10 flats and no longer requires off-site provision to be explored for scheme of this scale. The payment would be secured through a section 106 legal agreement.

4.25 The calculations for the Payment in Lieu (PIL) subject to policy H4 are as follows:

- PIL figure - £2,650 per sqm based on GIA
- 4% x 182sqm (include GEA) = 7.28sqm
- PIL = 7.28sqm x £2,650sqm = £19,292

For additional details of how the payment in lieu is calculated please refer to CPG Housing Interim from para IH2.95.

Sustainability and biodiversity

4.26 Policy D1 states that besides other considerations, high quality design is achieved when development is sustainable in design and construction and incorporates high quality landscape design. Furthermore, in line with policy CC1, the Council requires all development to minimise the effects of climate change and encourage all developments to meet the highest feasible environmental standards that are financially viable during construction and occupation. Policy CC2 requires that development should promote new appropriate green infrastructure, not increase and where possible reduce surface water run-off through increasing permeable surfaces and use of sustainable drainage systems, incorporate bio-diverse roofs and green walls, implement measures to reduce the impact of urban and dwelling overheating including application of cooling hierarchy.

4.27 As the proposal is for a new built development you are encouraged to apply the Home Quality Mark and/or Passivhaus design standards, when developing the scheme. The standards would ensure the energy efficiency of the building towards Zero Carbon, removing the need for retrofitting in the future. It is noted that the proposal includes solar panel arrays, however there is no supporting information to demonstrate that the energy generated from the arrays would offset the embedded carbon.

4.28 The documentation submitted confirms that the flat roofs of the structure would be green and that rainwater attenuation and habitat walls would be considered in the development of the scheme. The elements of enhanced biodiversity would be welcomed in the event of a future planning application.

5. Recommendations

5.1 As it stands the proposed scheme would not be supported in the event of a future planning application and it is advised that the following considerations should be addressed prior to the submission of a future planning application:

- Prior to developing the scheme any further, you are advised to start adequate consultation with the residents at Rokeby House in relation to the existing communal garden. The consultation outcome should directly influence your proposal and include proposed improvements for the communal garden.
 - In terms of community engagement, it is up to you how you wish to undertake this process, however see some advice below:
 - Initially you should find out how, when and why the current garden is used by the residents. You should contact the residents directly, or via the residents association groups, and ensure you have a good understanding of the usability of the space. Ward Cllrs should be included in consultation to ensure they are aware you are undertaking this process.
 - Secondly, you should establish what are the pros and cons of the existing space and what would be the desired improvements.
 - In order to allow for better communication between the parties, especially in relation to the garden improvements, you should arrange workshops, or forums where residents could openly discuss ideas and propose types of improvements.
 - Detail to be submitted in relation to the enhanced communal garden, this should include:
 - details 1:100, 1:50 as considered appropriate for all new improvements, to include details of materials
 - types of planting and their location
 - scheme of maintenance
 - tree survey and arboricultural assessment in the event of impact on the tree protection areas
- The removal of the two parking spaces adjacent to the extension at no. 3 Long Yard would require a Traffic Management Order (TMO) consultation. You could

consult the residents in relation to the removal of the parking spaces as part of the communal garden consultation, prior to the official TMO one.

- The proposed houses should be set back from the street frontage to provide adequate relief from the street paving and ensure no damage would be caused to the residential amenity by preventing surface water flooding the property, and vehicle overrun.
- Details of how the building would meet Passivhaus standards and/or Home Quality Mark.
- Further works should be progressed on the detailed design of the proposals, particularly on the inset balcony.
- Based on the current submission and information, in the event of a positive outcome at application stage a section 106 legal agreement would be secured for car free development, CMP, highways contribution, communal garden maintenance plan, affordable housing payment in lieu.

Please see appendix 1 for supplementary information and relevant policies.

If you have any queries about the above letter or the attached document please do not hesitate to contact Nora Constantinescu (0207 974 5758)

Thank you for using Camden's pre-application advice service; I trust this is of assistance in progressing your proposal.

Yours sincerely,

Nora Constantinescu

Planning Officer
Planning Solutions Team

Appendix 1:

Relevant Constraints:

Hampstead Conservation Area

Relevant History:

None directly applicable

Relevant policies and guidance:

National Planning Policy Framework 2018 The London Plan March 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
 A1 - Managing the impact of development
 A2 – Open Space
 A3 – Biodiversity
 E1 - Economic Development
 E2 – Employment premises and sites
 D1 - Design
 D2 - Heritage
 C5 – Safety and security
 C6 – Access for all
 CC1 – Climate change mitigation
 CC2 – Adapting to climate change

Camden Planning Guidance 2018

CPG Design
 CPG Amenity
 CPG Energy efficiency and adaptation
 CPG Biodiversity
 CPG Housing Interim / Housing Part 2
 CPG Developer contributions
 CPG Transport
 CPG Air Quality

Bloomsbury Conservation Area Statement 2011

Planning application information:

The following documents should be included with the submission of a full planning application:

- Completed full planning application form
- The appropriate fee
- Location Plan (scale 1:1250)
- Site Plan (scale 1:200)

- Floor plans (scale 1:100) labelled 'existing' and 'proposed'
- Elevations and sections (scale 1:10) labelled 'existing' and 'proposed'
- Design, Access and heritage statement
- Air Quality Assessment
- Draft Construction Management Plan
- Maintenance Plan for communal garden, to include details of planting
- Please see the following link to supporting information for planning applications

<https://beta.camden.gov.uk/planning-statements-and-additional-supporting-information?inheritRedirect=true>

We are legally required to consult on applications with individuals who may be affected by the proposals. We notify neighbours by displaying a notice on or near the site and placing an advert in the local press. We must allow 23 days from the consultation start date for responses to be received. We encourage you to engage with the residents of adjoining properties before any formal submission.

Non-major applications are typically determined under delegated powers. However, if we receive three or more objections from neighbours, or an objection from a local amenity group, the application will be referred to the Members Briefing Panel if officers recommend it for approval. For more details click [here](#).

Please Note: This document represents an initial informal officer view of your proposal 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.