

2021/5620/P - 17 Railey Mews

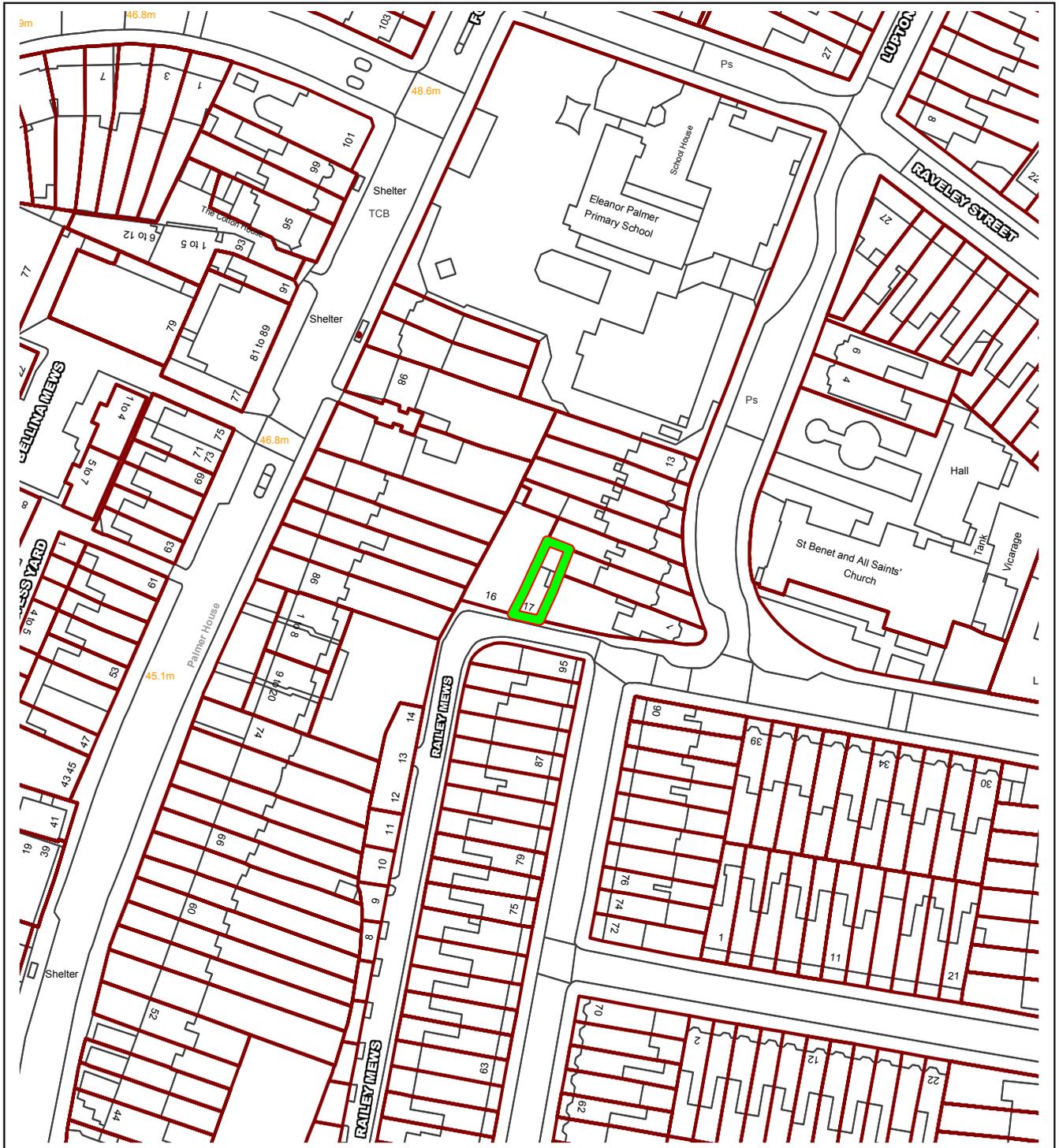




Photo 1 – aerial view of property (red) and surrounding area



Photo 2 – View looking east and west (existing)



Photo 3 – View looking east and west (proposed)



Photo 4 - View looking north at no's 16 and 17, showing a brick building and a white building



Photo 5 – View looking south down Railey Mews

Delegated Report		Analysis sheet		Expiry Date:	11/01/2022
(Members Briefing)		N/A / attached		Consultation Expiry Date:	26/12/2021
Officer			Application Number(s)		
Kate Henry			2021/5620/P		
Application Address			Drawing Numbers		
17 Railey Mews London NW5 2PA			Please refer to draft decision notice		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
Three storey rear infill extension; alterations to openings and fenestration; installation of timber cladding to front and side elevations					
Recommendation(s):		Grant conditional planning permission			
Application Type:		Householder Application			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	00	No. of responses	00	No. of objections	00
Summary of consultation responses:	<p>Site notices were displayed on 26/11/2021 (consultation expiry date 20/12/2021) and a notice was placed in the local press on 02/12/2021 (consultation expiry date 26/12/2021).</p> <p>Letters have been received from 1, 1a Lupton Street and 16 Railey Mews summarised as follows:</p> <ul style="list-style-type: none"> • When the building was originally constructed the architect indicated that no windows would be located in the flank wall to prevent loss of privacy to properties in Lupton Street and it was designed so that the flank wall would not be fully up against the rear gardens of properties on Lupton Street, whereas now the flank wall is being extended along the boundary and a side-facing window is proposed. • Originally, the house contained off-street parking in the form of a garage which was later converted. The new plans reverse elements of the original design that helped it gain permission. • Unnecessarily large window on side would overlook 1 and 1a Lupton Street and would not be obscurely glazed and the fins would not prevent overlooking. • Extended flank wall would be oppressive and overly dominant. • Extended building would result in loss of light / view of sky • Extended roof balustrade / hedging is out of keeping with London building styles • Legitimisation of existing roof terrace. • Fins are out of keeping with the architectural style of the building / area and will age badly. • Detrimental impact on Kentish Town Conservation Area • Fins will project over other people's land / the mews. • Fins will block views to the east from 16 Railey Mews. • A scaled model of the fins should be provided. • All previous planning decisions should be ignored as the permissions should not have been granted. <p>Officer comment</p> <p><i>The statement of intent from the time the building was originally constructed is not relevant. Each planning application must be assessed on its merits at the time it is submitted.</i></p> <p><i>Previous planning decisions are a material planning consideration in the determination of future planning applications, unless new information has come to light that would indicate otherwise. The applicant has confirmed that the fins would not project over land not within their ownership and relevant informatives are suggested to remind them of this. On this basis, there is no reason to reach a different conclusion with regards to the timber cladding now.</i></p>					

	<p><i>A planning condition is suggested to require that details, samples and a 1:1 scale model of the cladding are submitted to the Council for approval prior to its installation. The 1:1 model (which was not previously requested) will ensure that the final design of the timber cladding is acceptable with regards to its impact on the Kentish Town Conservation Area.</i></p> <p><i>The impact of the side facing window and the timber cladding on neighbouring properties are still considered to be acceptable, as at the time of the previous application. Please see section 5 of the officer's report.</i></p>
<p>Bartholomew Estate and Kentish Town CAAC</p>	<p>No comments received.</p>
<p>Kentish Town Neighbourhood Forum</p>	<p>No comments to make (neither endorse or oppose)</p>

Site Description

17 Railey Mews is a three storey, semi-detached residential property, facing south onto Railey Mews at the point before the road bends round to the south. The building features white painted render and glass bricks. The main entrance is recessed behind a horizontal metal bar screen.

The application site is within the Kentish Town Conservation Area.

Relevant History

17 Railey Mews

2021/3409/P: Variation to wording of Conditions 2 (approved plans) and 4 (tree protection plan) and removal of Conditions 5 (basement engineer) and 6 (compliance with BIA) granted under planning reference 2017/4756/P dated 12/09/18 for (erection of three storey rear infill extension; excavation of basement level with closed front light well; other external alterations including installation of timber cladding to front and side elevation and replacement of gates at ground floor level) namely to remove basement excavation. **Withdrawn 24/11/2021.** (This application was withdrawn because a section 73 application cannot be used to amend the description of development and the original permission expired before the decision was made).

2021/3674/P: Details of timber cladding, timber fins and translucent glass channel required by condition 3 and details of tree protection methods required by condition 4 of planning permission 2017/4756/P, dated 12/09/2018 (for: infill extension, basement excavation, other alterations). **Withdrawn 24/11/2021.** (This application was withdrawn because the original permission expired before the decision was made).

2017/4756/P: Erection of three storey rear infill extension; excavation of basement level with closed front lightwell; other external alterations including installation of timber cladding to front and side elevation and replacement of gates at ground floor level. **Granted Subject to a Section 106 Legal Agreement 12/09/2018.**

Land to Rear of no.1 Lupton Street (Original application for mews house)

PE9700933R1: The erection of a three storey house with integral garage. **Granted 28/04/1998**

Relevant policies

National Planning Policy Framework (2021)

The London Plan (2021)

Camden Local Plan (2017)

A1 Managing the impact of development

A4 Noise and vibration

D1 Design

D2 Heritage

T4 Promoting the sustainable movement of goods and materials

DM1 Delivery and Monitoring

Camden Planning Guidance

Amenity (2021)

Design (2021)

Home improvements (2021)

Transport (2021)

Assessment

1. The proposal

1.1. Planning permission is sought for the following works:

- Three-storey rear infill extension
- Alterations to openings / fenestration
- Installation of timber cladding to front and side elevations

1.2. The three storey rear infill extension would extend into the existing courtyard at the north-eastern corner of the plot. The existing L-shaped, single storey element with a sloping roof would be removed and replaced with the three storey extension. The existing L-shaped element extends out from the rear and side walls by approximately 1 metre. The replacement extension would extend out from the rear wall by approximately 2.6 metres, leaving a courtyard with a depth of between 1.1 and 1.3 metres.

1.3. A new 2 storey (1st and 2nd floor) window would be inserted on the side (east) elevation of the host building to serve the staircase (in the new three storey infill extension). It would measure 1.3 metres wide and 4.9 metres tall and would be covered by timber fins (see paragraph 1.7).

1.4. The existing ground floor garage doors on the front elevation would be replaced with horizontal glass strips.

1.5. At first floor, the existing glass blocks on the front elevation would be replaced with a single-pane glazed window of the same size (the plans indicate that the glazing would be obscured up to a height of 1.7 metres). The existing 2-pane window on the side elevation would also be replaced with a single pane window of the same size.

1.6. At roof level, the existing balustrade would be extended (as part of the infill rear extension); and a gate and retractable ladder would be installed.

1.7. On the front and side elevations of the host building, timber cladding would be installed. The cladding would be in the form of projecting fins covered with Keim Farben White Ceramic coating.

2. Planning considerations

1.1. The key considerations material to the determination of this application are as follows:

- Background / history
- Heritage and design
- Impact on neighbours

3. Background / history

3.1. Planning permission was granted in 2018 (ref 2017/4756/P, dated 12/09/2018) for a three storey rear infill extension; excavation of basement level with closed front lightwell; other external alterations, including installation of timber cladding to front and side elevations, and

replacement of gates at ground floor level; however, the permission expired before it was implemented.

3.2. This application only differs insofar as it does not include the basement works. Otherwise, the proposed works remain the same as those approved in 2018. The previous permission is therefore a material consideration in the determination of this current application.

4. Heritage and design

4.1. The application site is within the Kentish Town Conservation Area, wherein the Council has a statutory duty, under section 72 of The Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended), to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.

4.2. The Kentish Town Conservation Area Appraisal and Management Strategy (KTCAAMS) does not identify the application building as making a positive contribution to the character and appearance of the area. With regards to Railey Mews, it is noted that all the properties with the exception of Nos. 10-17, make a positive contribution.

4.3. At the time of the previous application, it was noted that the three storey rear infill extension would represent a *“coherent alteration that would not harm the integrity of the building form”*. This remains the case.

4.4. At the time of the previous application, the proposed alterations to fenestration and openings were considered to be acceptable as the building would remain sympathetic to the mews typology, yet the changes would provide a more contemporary appearance. This remains the case.

4.5. At the time of the previous application, the proposed cladding was considered to be high quality, sustainable and durable. It was noted that: *“Whilst there is not a precedent in the surrounding area for such material, the mews context is considered to be an appropriate location for a more interesting and eclectic material palette”*. It was also noted that the building is a neutral contributor to the conservation area and therefore there is scope for improvement with regards to its appearance. The officer’s report noted: *“It is considered that the proposed cladding would improve the aesthetic quality of the building and a condition would require full details and a sample of the cladding to be submitted and approved in order to secure its quality.”* This remains the case and a suitable condition is recommended to require the submission of details, samples and a 1:1 scale model of the cladding prior to its installation.

4.6. Overall, the impact on the character and appearance of the Kentish Town Conservation Area is considered to be acceptable.

5. Impact on neighbours

5.1. Policy A1 of the Local Plan seeks to protect the quality of life of occupiers and neighbours. The factors to consider include: visual privacy and outlook; sunlight, daylight and overshadowing; artificial light levels; impacts of the construction phase; and noise and vibration. Policy A4 also seeks to ensure that noise and vibration is controlled and managed.

5.2. At the time of the previous application, it was noted that the proposed rear infill extension would be sufficiently distanced from the rear windows of Nos. 1 to 3 Lupton Street so as not to impact on daylight/sunlight levels. It was also noted that any overshadowing as a result of the extension would be negligible, given that it is an infill extension built within the existing courtyard. This remains the case.

5.3. Concern has been raised that the extended building would impact on views of the sky from neighbouring buildings. However, officers do not consider that there would be a harmful impact on outlook from neighbouring properties, given the separation distance.

- 5.4. With regards to overlooking, the officer's report noted that the timber fins would prevent unreasonable overlooking to the gardens of Nos. 1, 1a and 3 Lupton Street from the new side window. The report noted: *"Any views through the timber fins would be limited glimpses only and would be a sufficient distance away from the rear windows of no's 1 and 1a Lupton Street (approx. 14.5m) to not result in a material loss of privacy."* This remains the case. It is also worth noting that the double height window serves the staircase rather than a room, which should reduce the scope for overlooking to some degree.
- 5.5. With regards to the front window, the plans indicate that the replacement single pane window would be obscurely glazed up to a height of 1.7 metres. A suitable planning condition is recommended to secure this. The change to the existing side-facing window (changing two panes to one pane) would not alter the existing impact of this window.
- 5.6. It is not considered that the changes at roof level would impact on neighbours. Neither is considered likely that the proposed timber cladding would impact on neighbours. A comment has been received to suggest that the cladding would impact on views to the east from No. 16 Railey Mews; however, the impact is not considered to be so great as to warrant a refusal of the application on this basis, particularly as No. 16 would still retain good views along Railey Mews in both directions.
- 5.7. It has also been suggested that the proposed timber fins would oversail land not within the applicant's ownership. The applicant has confirmed that this would not be the case and an informative is suggested to be added to the decision notice to remind them of this.

Recommendation: Grant conditional planning permission.

The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 17th January 2022, 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'.

Application ref: 2021/5620/P
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Date: 11 January 2022

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DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Householder Application Granted

Address:
17 Railey Mews
London
NW5 2PA

DECISION

Proposal: Three storey rear infill extension; alterations to openings and fenestration; installation of timber cladding to front and side elevations

Drawing Nos: 4041_A0080 Rev 01; 4041_A0110 Rev 01; 4041_A0120 Rev 01; 4041_A0130 Rev 01; 4041_A0140 Rev 01; 4041_A0210 Rev 01; 4041_A0220 Rev 01; 4041_A0230 Rev 01; 4041_A0310 Rev 01; 4041_A0410 Rev 01; 4041_A0420 Rev 01; 4041_A0800 Rev 02; 4041_A1100 Rev 02; 4041_A1200 Rev 02; 4041_A1300 Rev 02; 4041_A1400 Rev 02; 4041_A2100 Rev 02; 4041_A2200 Rev 01; 4041_A2300 Rev 01; 4041_A3100 Rev 02; 4041_A3200 Rev 02; 4041_A3300 Rev 02; 4041_A4100 Rev 01; 4041_A4200 Rev 01

The Council has considered your application and decided to grant permission subject to the following condition(s):

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 The development hereby permitted shall be carried out in accordance with the following approved plans: 4041_A0080 Rev 01; 4041_A0110 Rev 01; 4041_A0120 Rev 01; 4041_A0130 Rev 01; 4041_A0140 Rev 01; 4041_A0210 Rev 01; 4041_A0220 Rev 01; 4041_A0230 Rev 01; 4041_A0310 Rev 01; 4041_A0410 Rev 01; 4041_A0420 Rev 01; 4041_A0800 Rev 02; 4041_A1100 Rev 02; 4041_A1200 Rev 02; 4041_A1300 Rev 02; 4041_A1400 Rev 02; 4041_A2100 Rev 02; 4041_A2200 Rev 01; 4041_A2300 Rev 01; 4041_A3100 Rev 02; 4041_A3200 Rev 02; 4041_A3300 Rev 02; 4041_A4100 Rev 01; 4041_A4200 Rev 01.

Reason: For the avoidance of doubt and in the interest of proper planning.

- 3 Before the relevant part of the work is begun the following shall be submitted to and approved in writing by the local planning authority:

- a) Manufacturer's specification details of timber cladding.
- b) Details including sections at 1:10 of the method of attachment of the timber fins to the host building.
- c) 1:1 scale model (minimum 1 metre by 1 metre) of the timber cladding.

The relevant part of the works shall be carried out in accordance with the details thus approved and all approved samples shall be retained on site during the course of the works.

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 and Policy D3 of the Kentish Town Neighbourhood Plan (2016).

- 4 The replacement front window at first floor level shall be fitted with obscure glass to a height of up to 1.7m from internal finished floor level, and shall be non-opening and permanently fixed shut, and the window shall be retained as such for the duration of the development.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with policy A1 of the 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 This approval does not authorise the use of the public highway. Any requirement to use the public highway, such as for hoardings, temporary road closures and suspension of parking bays, will be subject to approval of relevant licence from the Council's Streetworks Authorisations & Compliance Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No 020 7974 4444). Licences and authorisations need to be sought in advance of proposed works. Where development is subject to a Construction Management Plan (through a requirement in a S106 agreement), no licence or authorisation will be granted until the Construction Management Plan is approved by the Council.
- 3 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website (search for 'Camden Minimum Requirements' at www.camden.gov.uk) or contact the Council's Noise and Licensing Enforcement Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444)

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 must secure the approval of the Council's Noise and Licensing Enforcement Team prior to undertaking such activities outside these hours.

- 4 This consent is without prejudice to, and shall not be construed as derogating from, any of the rights, powers, and duties of the Council pursuant to any of its statutory functions or in any other capacity and, in particular, shall not restrict the Council from exercising any of its powers or duties under the Highways Act 1980 (as amended). In particular your attention is drawn to the need to obtain permission for any part of the structure which overhangs the public highway (including footway). Permission should be sought from the Council's Engineering Service Network Management Team, Town Hall, Argyle Street WC1H 8EQ, (tel: 020 7974 2410) or email highwayengineering@camden.gov.uk.
- 5 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.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2021.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

Chief Planning Officer