

Application ref: 2021/0020/P  
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Date: 9 February 2022

**Development Management**  
Regeneration and Planning  
London Borough of Camden  
Town Hall  
Judd Street  
London  
WC1H 9JE

Phone: 020 7974 4444

[planning@camden.gov.uk](mailto:planning@camden.gov.uk)  
[www.camden.gov.uk/planning](http://www.camden.gov.uk/planning)

Town Planning Bureau  
Town Planning Bureau  
The Barn  
43 Oakdene Road  
Redhill  
RH1 6BT  
England

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Full Planning Permission Granted Subject to a Section 106 Legal Agreement**

Address:  
**13-15 John's Mews**  
**London**  
**WC1N 2PA**

Proposal:

Partial demolition of existing building and change of use from Class E (garage / workshop / offices) to Class C3 residential flats (2 x 2 bed & 2 x 1 bed units), front fenestration alterations, mansard extension and associated works.

Drawing Nos: P\_00; P\_01 Rev.C; P\_02 Rev.B; P\_03 Rev.A; P\_04 Rev.A; P\_05; P\_06 Rev.B; P\_07; P\_08; P\_09;

Loss of employment supporting statement dated July 2017 by Montagu Evans; Air Quality statement ref. AQ2047 dated August 2021 by Gem Air Quality LTD; Air Quality pro forma; Energy & Sustainability Statement dated 15th Dec 2020 by EB7; Construction Management Plan pro forma; Heritage Statement dated Dec 2020 by AHP and Asbestos Demolition Survey by Salvum.

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 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policies D1 and D2 of the London Borough of Camden Local Plan 2017.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans:

P\_00; P\_01 Rev.C; P\_02 Rev.B; P\_03 Rev.A; P\_04 Rev.A; P\_05; P\_06 Rev.B; P\_07; P\_08; P\_09;

Loss of employment supporting statement dated July2017 by Montagu Evans; Air Quality statement ref. AQ2047 dated August 2021 by Gem Air Quality LTD; Air Quality pro forma; Energy & Sustainability Statement dated 15th Dec 2020 by EB7; Construction Management Plan pro forma; Heritage Statement dated Dec 2020 by AHP and Asbestos Demolition Survey by Salvum.

Reason:

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

- 4 Prior to commencement of development, full details in respect of the living roof in the area indicated on the approved first floor plan shall be submitted to and approved by the local planning authority. The details shall include
- i. a detailed scheme of maintenance
  - ii. sections at a scale of 1:20 with manufacturers details demonstrating the construction and materials used
  - iii. full details of planting species and density

The living roofs shall be fully provided in accordance with the approved details prior to first occupation and thereafter retained in accordance with the approved scheme.

Reason: In order to ensure the development undertakes reasonable measures to take account of biodiversity and the water environment in accordance with policies G1, CC1, CC2, CC3, D1, D2 and A3 of the London Borough of Camden Local Plan 2017.

- 5 The development hereby approved shall achieve a maximum internal water use of 110litres/person/day. The dwelling/s shall not be occupied until the Building Regulation optional requirement has been complied with.

Reason: To ensure the development contributes to minimising the need for further water infrastructure in an area of water stress in accordance with Policies CC1, CC2, CC3 of the London Borough of Camden Local Plan 2017.

- 6 The secure cycle storage areas for 8 cycles hereby approved shall be provided in its entirety prior to the first occupation of any of the new units, and permanently retained thereafter.

Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of policy T1 of the London Borough of Camden Local Plan 2017.

- 7 The roofs of the extensions hereby permitted shall not be used as terraces or any other type of amenity space.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policy A1 of the London Borough of Camden Local Plan 2017.

- 8 The balustrade to the lower part of first floor rear openings shall be erected prior to first occupation of the relevant new units, and permanently retained thereafter.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policy A1 of the London Borough of Camden Local Plan 2017.

- 9 The ground floor level windows within the rear boundary wall hereby permitted shall be constructed using only obscured glazing, fixed shut and so retained.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policy A1 of the London Borough of Camden Local Plan 2017.

- 10 All units hereby approved shall be designed and constructed in accordance with Building Regulations Part M4 (2), evidence demonstrating compliance should be submitted to and approved by the Local Planning Authority prior to occupation.

Reason: To ensure that the internal layout of the building provides flexibility for the accessibility of future occupiers and their changing needs over time, in accordance with the requirements of policy C6 of the London Borough of Camden Local Plan.

- 11 Prior to commencement of development, full details of an appropriate mitigation scheme to control risks to occupiers in support of the pre-demolition and refurbishment asbestos survey already provided should be submitted and approved in writing. The scheme must be written by a suitably qualified person. The scheme as submitted shall demonstrably identify potential sources of asbestos contamination and detail removal or mitigation appropriate for the proposed end use. Detailed working methods are not required but the scheme of mitigation shall be independently verified to the satisfaction of the LPA prior to occupation.

Reason: To protect occupiers of the development from the possible

contamination arising in connection with the buildings on the site in accordance with policies A1 (Managing impact of development), C1 (Health) and CC5 (Waste) of the London Borough of Camden Local Plan 2017

- 12 Prior to commencement of above-ground development / development excluding demolition and site preparation works, full details of the mechanical ventilation system including air inlet locations shall be submitted to and approved by the local planning authority in writing. Air inlet locations should be located away from busy roads and the boiler/ CHP stack or any other emission sources and as close to roof level as possible, to protect internal air quality. The development shall thereafter be constructed and maintained in accordance with the approved details.

Reason: To protect the amenity of residents in accordance with London Borough of Camden Local Plan Policy CC4 and London Plan policy SI 1

- 13 Prior to occupation evidence that an appropriate NO2 filtration system on the mechanical ventilation intake has been installed and a detailed mechanism to secure maintenance of this system should be submitted to the Local Planning Authority and approved in writing.

Reason: To protect the amenity of residents in accordance with London Borough of Camden Local Plan Policy CC4 and London Plan policy SI 1.

#### Informative(s):

- 1 Reasons for granting permission:

Planning permission was granted on site for change of use from office to residential under ref.'s 2014/3330/P (not implemented) and 2017/4302/P for 2 and 4 units respectively. They considered that the applicant had demonstrated the building was no longer suitable for its existing business use. Ref. 2017/4302/P has not been implemented on site but is extant and could be implemented up to 27/03/2022. Given this 'fall back' extant permission, the loss of business use in this instance is considered acceptable and compliant with policy E2.

The proposal will provide 2x2beds and 2x1beds which is an acceptable unit mix in line with policy H1 and H7. However, as no affordable units are proposed and it is beneath the threshold to provide them on site an affordable housing contribution will be secured via a S106 legal agreement.

The two buildings are situated in a small, informal group of mews houses from 11-23 and it is noted that the rest of these all have additional/mansard roofs. Whilst the buildings are not uniform in appearance they do have a group value in terms of their height (parapet height), plot widths and character as mews properties. Ref. 2017/4302/P granted a mansard roof of the same siting, scale and design and it is still appropriate and helps to reunite this group of buildings. The front fenestration is the same as ref. 2017/4302/P and the rear is similar to

that previously granted and are appropriate in terms of their siting scale and detailed design.

It is noted that the site sits behind the rear gardens of listed buildings along John Street. As with the extant permission the proposal is still considered that it would retain the existing character of Johns Mews and would not harmfully alter the setting in this respect.

Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area, under s.72 of the Planning (Listed Buildings and Conservation Area) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

Overall the proposal is acceptable in terms of siting, scale and detailed design. It is considered that the proposal would preserve the character and appearance of the host property, terrace and conservation area.

All flats would provide a good standard of accommodation.

It is acknowledged that overlooking between the occupiers of Nos.13 and 15 John's Mews and Nos.23 and 24 John Street is an existing mutual condition, albeit of a differing use. It is considered the change of use from commercial to residential would not introduce a greater potential for mutual overlooking.

At ground floor level, the rear elevation would feature floor to ceiling glazed openings, however these would be set behind the boundary wall with the John Street buildings. Consultation comments have raised concern of these openings and overlooking. It should be noted however that views, not screened by the 2.4m boundary wall, would be between 2.3m above internal ground floor level and 2.7m. In this context, no harmful overlooking could take place. The ground floor level windows within the rear boundary wall will be conditioned to be obscured glazed and fixed shut.

- 2 The first floor level openings would be re-arranged with a vertical rather than horizontal emphasis with openings set behind balustrading, thereby the roof of the rear extension would not be a platform or terrace (secured by condition). Although 4 new windows would be introduced at mansard roof level, given their size, position and distance from the rear of buildings along John Street, this element would not exert a materially harmful impact on the amenities of adjoining occupiers, in terms of privacy and overlooking.

Whilst the terminating height of the roof would be increased (same as extant permission), given its proximity to buildings along Johns Street, in addition to its terminating height matching those either side of the application site, this element would not exert a materially harmful impact on the amenities of adjoining occupiers, in terms of outlook, daylight and sunlight.

The Council's highways team have raised no objection the development and revised cycle parking. A S106 legal agreement will secure the development as car free, a CMP (and associated monitoring fee), a construction impact bond and a highways contribution.

No trees are currently onsite and none are proposed. Trees are located in a grounds to the rear on John Street however, these are bordered within their respective gardens and again bounded by boundary walls. Tree Officers advise a standard tree protection condition be attached to any permission. A condition shall ensure water efficiency shall be achieved and secure details of the green roof.

An air quality report and the Council's proforma were submitted which were reviewed by the Council's Air Quality Officer who found the information on balance with the extant permission acceptable subject to conditions. Conditions have been attached securing maintenance of the ventilation system and location/details of the air inlets. Air inlet locations should be located away from busy roads and the boiler/ CHP stack or any other emission sources and as close to roof level as possible, to protect internal air quality.

Where developments have capacity for fewer than 10 additional dwellings, the Council accepts a PIL of affordable housing as set out in Policy H4. Therefore a payment in lieu for affordable housing will be secured by S106 legal agreement.

Two objections were received during the statutory consultation period and duly taken into consideration. The planning history of the site has been taken into account when coming to this decision.

As such, the proposed development is in general accordance with policies A1, A3, A4, C1, C6, CC1, CC2, CC3, CC5, D1, D2, E1, E2, G1, H1, H3, H6, H7, T1, T2, T3, T4, TC4 and DM1 of the Camden Local Plan 2017. The proposed development also accords with policies of the London Plan (2021) and the National Planning Policy Framework 2021.

- 3 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).
- 4 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.
- 5 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](http://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.

- 6 Your attention is drawn to the fact that there is a separate legal agreement with the Council which relates to the development for which this permission is granted. Information/drawings relating to the discharge of matters covered by the Heads of Terms of the legal agreement should be marked for the attention of the Planning Obligations Officer, Sites Team, Camden Town Hall, Argyle Street, WC1H 8EQ.
- 7 The correct street number or number and name must be displayed permanently on the premises in accordance with regulations made under Section 12 of the London Building (Amendments) Act 1939.
- 8 You are reminded that this decision only grants permission for permanent residential accommodation (Class C3). Any alternative use of the residential units for temporary accommodation, i.e. for periods of less than 90 days for tourist or short term lets etc, would constitute a material change of use and would require a further grant of planning permission.

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



Daniel Pope  
Chief Planning Officer