

Delegated Report		Analysis sheet	Expiry Date:	19/08/2022
		N/A / attached	Consultation Expiry Date:	19/08/2023
Officer			Application Number(s)	
Matthew Dempsey			2022/2623/P	
Application Address			Drawing Numbers	
103 King's Cross Road London WC1X 9LP			Please refer to Decision Notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Construction of 4th floor mansard roof extension to provide a 1-bed self-contained dwelling with recessed terrace.				
Recommendation(s):	Refuse planning permission			
Application Type:	Full Planning Permission			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	00	No. of responses	19	No. of objections	19
Summary of consultation responses:	<p>A site notice was displayed 22/07/2022 which expired 15/08/2022. A press notice was published 28/07/2022 which expired 21/08/2022.</p> <p>A total of 19 objections were received from local residents during public consultation. Their concerns can be summarised as follows:</p> <ul style="list-style-type: none"> • Harm to heritage assets. • Lack of public benefit. • Impact on local views. • Inadequate accommodation (small scale). • Precedent for additional roof terraces. 					
Bloomsbury CAAC	<p>The Bloomsbury Conservation Area Advisory Committee were consulted on the scheme and objected on the following grounds:</p> <ul style="list-style-type: none"> • Concerns regarding principle of roof extension in this location (height of existing building is already above neighbours). • Impact on neighbouring listed buildings. • Support for local resident objections. 					

Site Description

The application building (103 King's Cross Road) is a well-proportioned, four storey, mixed use, brick built building with commercial space at ground floor and residential use at upper floors.

It is located at the corner of Kings Cross Road and Frederick Street. Kings Cross Road forms the eastern boundary with the London Borough of Islington. This part of Kings Cross Road is a busy thoroughfare for both vehicular and pedestrian traffic characterised by commercial uses at ground floors with residential uses above. Frederick Street is characterised by more distinct residential use, with the exception of corner buildings. Traffic calming measures to Frederick Street restrict access to / from Kings Cross Road for cycle traffic only. Opposite the site and separating the commercial area from the residential street is the Frederick Street Garden.

The host property is not listed, but it does neighbour Grade II listed buildings on Frederick Street, also with the Grade II listed Field Lane Foundation Centre to the rear on Cubitt Street, formerly the Arthur Street Baptist Chapel. Further along Frederick Street, and opposite the site, are other Grade II listed properties.

The site is located within the Bloomsbury Conservation Area and the Mount Pleasant Neighbourhood Area. It is noted within the Bloomsbury Conservation Area Appraisal and Management Strategy as making a positive contribution to the character and appearance of the area.

Relevant History

2004/5048/P - The change use of the basement and ground floor from office (Class B1) to a flexible use of retail (Class A1) or office (class B1) use, and the change of use of upper floors from office (Class B1) to residential (Class C3) to provide 3 x 2 bedroom residential flats, together with the reinstatement of 3 pavement lightwells. **Granted subject to S106 Legal Agreement.**

2016/4749/P - Use as a 3 bedroom flat at 2nd floor (Class C3). (Relating to No.103B Kings Cross Road). **Certificate of lawfulness granted 23/09/2016.**

Relevant policies

National Planning Policy Framework NPPF 2023

The London Plan 2021

Camden Local Plan 2017

A1 Managing the impact of development

D1 Design

D2 Heritage

H1 Maximising housing supply

H4 Maximising the supply of affordable housing

H7 Large and small homes

CC5 Waste

T1 Prioritising walking, cycling and public transport

T2 Parking and car-free development

DM1 Delivery and monitoring

Camden Planning Guidance (CPG)

Amenity (2021)

Design (2021)

Developer contributions (2019)

Housing (2021)

Bloomsbury Conservation Area Appraisal and Management Strategy (2011)

Assessment

1.0 Proposal

1.1 The proposed development includes:

- Construction of 4th floor flat top mansard roof extension (to provide 1 bedroom self-contained dwelling).
- Creation of associated roof terrace.

1.2 The scheme has been revised during the assessment, the revisions relate to:

- Re-positioning of the roof terrace, from the mansard roof top, to be adjacent to the mansard facing Frederick Street.
- Reduction in size of proposed flat from 51.5m² to 37.6m².
- Removal of proposed window to Kings Cross Road.
- Minor adjustment to the depth of the mansard.

2.0 Assessment:

2.1 The main planning considerations material in the determination of this application are:

- Land use.
- Affordable Housing.
- Quality of accommodation.
- Design and heritage.
- Amenity.
- Transport.
- Waste.

3.0 Land use:

3.1 Housing represents the priority land use of the Local Plan and, in order to meet (and exceed) the objectively assessed needs of the Borough, the Council seeks to maximise the delivery of new housing. This is supported by policies H1 (Maximising housing supply) and G1 (Delivery and location of growth).

3.2 In the context of this site being within a location of mixed uses including residential uses, the principle of new housing is generally supported here.

4.0 Affordable housing:

4.1 Policy H4 aims to maximise the supply of affordable housing. The Council expects a contribution to affordable housing from all developments that provide one or more additional homes and involve a total addition to residential floorspace of 100m² Gross

Internal Area (GIA) or more.

4.2 Given the scale of proposed development, this proposal would not breach the trigger for affordable housing.

5.0 Quality of accommodation:

5.1 The proposed new dwelling (as revised) would be approximately 37.6m². This is just above the minimum required gross internal floor area for a 1-person-1-bedroom studio unit according to the nationally described space standards.

5.2 The new dwelling would provide an acceptable standard of living in terms of layout, aspect, natural light and ventilation, access to private outdoor amenity space etc. The proposal is therefore considered to be acceptable in this regard.

6.0 Design and heritage:

6.1 The Local Plan policies D1 (Design) and D2 (Heritage) are aimed at achieving the highest standard of design in all developments. Policy D1 requires development to be of the highest architectural and urban design quality, which improves the function, appearance and character of the area; and Policy D2 states that the Council will preserve and where appropriate, enhance Camden's rich and diverse heritage assets and their settings, including conservation areas and listed buildings.

6.2 The application site is within the Bloomsbury Conservation Area, as such 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.

6.3 Paragraph 199 of the National Planning Policy Framework (NPPF) guides that: "*When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance*". Paragraph 202 then guides that: "*Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.*"

6.4 The neighbouring terrace of properties (Nos 1-7 Frederick Street), as well as the Field Lane Foundation Centre to the rear, are Grade II listed buildings. The entire terrace of building opposite from No.12 Frederick Street up to No.72 are also listed Grade II. The Council has a statutory duty to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses.

6.5 The host building is located at a very prominent position at the corner of Kings Cross Road and Frederick Street. It is notably the tallest building within the terrace in which it sits, adding to its prominence. Given the corner site position, the host building is also prominent in medium-to-long views in the local street network along Kings Cross Road and Frederick Street.

6.6 The host building, although not listed itself, is considered to be a well-proportioned building with considered detailing suitable to its status, making a positive contribution within the conservation area townscape. The host property is considered to be in a key position between distinctly differing characters, i.e. the more utilitarian commercial route of Kings Cross Road and the terraces of 19th Century town houses along Frederick Street.

6.7 The proposed mansard roof extension with roof terrace (as revised) is considered to be an

overly dominant addition to the existing town and roof scape. The proposed alterations would negatively impact the existing dimensions and proportions of the host building; and, the resultant changes to its architectural hierarchy including to its chimneys, and in terms of the overbearing nature of the additional height on the adjacent terrace of listed buildings, is considered unacceptable.

- 6.8 The revisions to the scheme included re-positioning of the proposed roof terrace. The initial proposal sited the terrace centrally above the mansard extension, access via an internal stair. This was scaled back to a smaller terrace facing on to Frederick Street only. Additionally one of the proposed windows facing Kings Cross Road was removed from the scope of development along with a slight alteration to the depth of the mansard extension at the corner.
- 6.9 Despite revisions to the scheme, the concerns raised have not been overcome. Given the existing scale of the property, the key position of the building and heritage constraints in place, the principle of a mansard roof extension with roof terrace in this location is not considered acceptable in principle.
- 6.10 The proposed alterations would be harmful to the character and appearance of the conservation area and setting of nearby listed buildings contrary to policies D1 and D2 of the Local Plan. The level of harm is considered to be “less than substantial” in line with NPPF guidance.
- 6.11 In accordance with paragraph 202 of the NPPF, the harm to the Bloomsbury Conservation Area should be weighed against the public benefits of the proposed development. The proposal would provide 1x additional self-contained dwelling in the borough, which is a benefit in terms of housing targets; new residents financial spend would benefit the viability of local services and the economy; and, environmentally, the proposal would make more effective use of land. However, the Council does not consider that the public benefits of the scheme would outweigh the less than substantial harm identified. The application is recommended for refusal on this basis.

7.0 Amenity:

- 7.1 Policy A1 seeks to protect the amenity of Camden’s residents by ensuring the impact of development is fully considered. It seeks to ensure that development protects the quality of life of occupiers and neighbours by only granting permission for development that would not harm the amenity of neighbouring residents. This includes privacy, outlook and implications on daylight and sunlight. The CPG Amenity supports this.
- 7.2 The proposed extension and roof terrace would create new views towards private residential windows at properties opposite on Frederick Street. Similarly, new windows are proposed which would create new views towards properties on Kings Cross Road. Nevertheless, the existing arrangement of properties facing each other means that there are already several windows which have views towards other private properties.
- 7.3 The proposed arrangement of windows facing Kings Cross Road would not be considered to cause any concern regarding impact on amenity as these would face toward the Police Station with only oblique views towards residential properties further along the road.
- 7.4 The proposed terrace door/ windows facing Frederick Street would be somewhat set-back from the parapet edge and as such is not considered there would be much potential for overlooking from within the proposed new flat. Similarly, the terrace is set in from the edge to mitigate overlooking. On balance, this is considered to be acceptable in this built-up location.

8.0 Transport:

- 8.1 Policy T2 of the Local Plan seems to limit the availability of parking in the borough and requires all new developments to be car-free. Were the scheme recommended for approval, any new residential dwelling would be secured as car free by means of a section 106 legal agreement, meaning future occupiers would not be able to apply for a parking permit.
- 8.2 The applicant suggests it would be impractical to provide cycle storage on site as part of the development and as required by policy T1. In this instance it is accepted that provision of on-site cycle storage would be challenging, but has not been fully demonstrated. Nevertheless this would not constitute a reason for refusal in and of itself. This detail could be secured by condition.
- 8.3 Policy A1 seeks to limit the impact on neighbours and Policy T4 promotes the sustainable movement of goods and materials. Were the scheme to be recommended for approval, given the nature of the proposals and context of the site location, it is considered that a Construction Management Plan (CMP), implementation support fee and Construction Impact Bond would need to be secured by means of section 106 legal agreement.
- 8.4 The lack of a section 106 agreement to secure the new dwelling as car-free and to secure a CMP form reasons for refusal.

9.0 Waste management:

- 9.1 The applicant suggests that any new refuse storage/ collection arrangements would follow existing arrangements in place at the host building, however given the apparent lack of space for cycle storage, Officers consider it would be necessary to see details of adequate waste management facilities prior to any development taking place on site. This detail could be secured by condition were approval recommended.

10.0 Conclusion:

- 10.1 The proposed mansard roof extension with terrace, by reason of its siting, design, scale and prominence, would cause harm to the character and appearance of the host building and the wider street scenes to which it forms a part, and would thus cause harm to the character and appearance of the Bloomsbury Conservation Area and the settings of nearby listed buildings, contrary to Policies D1 (Design) and D2 (Heritage) of the London Borough of Camden Local Plan 2017.
- 10.2 The proposed development, in the absence of a legal agreement to secure the new dwellings as "car-free", would be likely to contribute unacceptably to parking stress and congestion in the surrounding area, contrary to policies T2 (Parking and car-free development) and DM1 (Delivery and monitoring) of the London Borough of Camden Local Plan 2017.
- 10.3 The proposed development, in the absence of a legal agreement securing a Construction Management Plan, implementation support fee and Construction Impact Bond, would be likely to give rise to conflicts with other road users and be detrimental to the amenity of the area generally, contrary to policies A1 (Managing the impact of development), T4 (Sustainable movement of goods and materials) and DM1 (Delivery and monitoring) of the London Borough of Camden Local Plan 2017.

11.0 Recommendation:

- 11.1 Refuse planning permission.