

Planning Application

Application for Planning Permission and Listed Building Consent for use as a 6-bedroom HMO and associated alterations

55 Sidmouth Street, London, WC1H 8JX



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1. Introduction

1.1. This statement is to aid the planning officers in providing them with information regarding what is being proposed so they can give advice on whether or not the proposal is likely to be acceptable, what can be done to make the application acceptable, how to apply policies to the proposal, and which type of application form is needed and the related or supporting information needed to submit.

1.2. The proposal is to convert 55 Sidmouth Street into a 6 bed HMO.

1.3. In this statement we discuss the site, surroundings and planning history. We then set out how the use as an HMO complies with legislation, provide details of the alterations proposed as well as questions on what we could or couldn't do, and consider the heritage issues and policy compliance.

2. Site and surroundings

2.1. The site is located off Grays Inn Road in King's Cross, to the south of King's Cross station. It consists of a Georgian property that is one of three that are Grade II listed and are located within the Bloomsbury conservation area. It is part of a street comprising of terraced Georgian properties; no. 7, 11 and 44 are already HMOs. The properties range between 4 to 5 stories, including lower ground floors.

2.2. The street has a mix of uses and building ages / styles. Opposite and adjacent there are some Apartment complexes as well as Westminster Kingsway college. The property overlooks St. Georges Gardens to the South and regents square to the Northwest.

3. Planning history

3.1. The planning history of the site is shown in the table below.

Table 1: Planning history

Planning Ref.	Description	Decision	Date
2005/5510/L	Works associated with extensions and modifications to the existing 3-story residential unit comprising: the erection of a first floor rear extension with new access to existing roof terrace, the installation of a new glazed roof to existing rear projection, alterations to front railings to provide refuse store, and internal works at ground and first floor levels.	Granted	20/12/2005
2005/5509/P	Extensions and modifications to the existing 3-storey residential unit comprising: the erection of a first floor rear extension with new access to existing roof terrace, the installation of a new glazed roof to existing rear projection and alterations to front railings to provide refuse store.	Granted	20/12/2005
2005/4488/L	Erection of a roof extension, a first floor rear extension, with new access to existing roof terrace, alterations to front railings to provide refuse store, and internal alterations to existing maisonette.	Withdrawn	15/11/2005
2005/4487/P	Extensions and modifications to the existing 3-storey residential unit comprising: the erection of a roof extension, a first floor rear extension with new access to existing	Withdrawn	14/11/2005

	roof terrace, and alterations to front railings to provide refuse store.		
PS9905128	Construction of chimney flue on rear extension at 1st floor level, as shown by drawings Plan A & Plan C.	Grant full planning permission	02/02/2000
LS9905129	Internal and external alterations to insert chimney flue to rear extension as shown by drawings plan A and plan C.	Grant L B consent with conditions	02/02/2000
PS9904780	Observations to the Corporation of London for a redevelopment for an office building 175m high above ground on 40 floors, as shown on drawing numbers PA/1001 to /1008, /1100 to /1108, /1110 to /1113, /1201 to /1207, /1301 to /1336, /1338 to /1340, and /2700 to /2702.	Raise No Objections to adj Borough	05/08/1999
PS9704207R1	The part use of the existing 2 storey rear extension roof as a terrace together with associated balustrade, screen and spiral staircase from basement to first floor level, as shown on drawing numbers SDM/1 to /5.	Grant Full Planning Permission (conds)	30/04/1997
LS9704208R1	The part use of the existing two story rear extension roof as a terrace together the associated balustrade, screen and spiral staircase from basement to first floor level, as shown on drawing numbers SDM1/ to /5	Grant L B consent with conditions	30/04/1997
PS9704207	Provision of roof terrace, balustrade, side screens and associated spiral staircase on existing extension of house. (Plans submitted)	Withdrawn Application-revision received	17/03/1997
LS9704208	Provision of roof terrace, balustrade, side screens and associated spiral staircase on existing extension of house. (Plans submitted)	Withdrawn application-revision received	17/03/1997
L9600690	Approval of details including joinery details and fireproofing to stairway pursuant to additional conditions 03(a & c) of listed building consent dated 16 th November 1996 (Reg no. HB/9570178/R1), as shown on drawings SDM/ AD.05 and /SK15, and letter dated 13 th February 1996.	Grant Approval of details (listed bldg.)	14/02/1996
9570178	Internal alterations in association with change of use to form two self-contained residential units. as shown on drawing numbers SDM/SV/01 to /04 AB/01 to /04 and as revised by letters dated 6th September 1995 and 20th October 1995.	Grant List.Build. or Cons.Area Consent	07/06/1995

9501045	Change of use from office/residential to provide two self-contained residential units. As shown on drawing numbers SDM/SV/01 to /04/AB/01 to /04 and as revised by letters dated 6 th September 1995 and 20 th October 1995.	Grant full or outline Perm. With condit.	07/06/1995
9201175	The formation of a new entrance lobby to the basement flat as shown on drawing numbers 196/5C 196/6 revised by letter dated 30.10.92 and 09.11.92).	Grant Full or Outline Planning Permissn.	07/10/1992
9270162	The formation of a new entrance lobby to the basement flat as shown on drawings numbers 196/5C 196/6 revised by letters dated 25.09.92 30.10.92 and 09.11.92	Grant list.Build. or Cons.area consent	08/09/1992
5015	The erection of an additional floor at 55 Sidmouth Street, Camden, for residential purposes.	Refusal	18/02/1968

3.2. The planning history shows that listed building consent has been granted for many alterations over the years.

4. Certificate of Lawfulness – use as a 6-bedroom HMO

4.1. The General Permitted Development Order (GDPO) (2015) Part 3, Class L allows the change of use, without planning permission, from a dwellinghouse (use class C3) to a small shared house (use class C4).

4.2. The Town and Country Planning (Use Classes) Order 1987 (as amended) defines use class C4 as “small shared houses occupied by between three and six unrelated individuals, as their only or main residence, who share basic amenities such as a kitchen or bathroom.”

4.3. Houses shared by more than six people are a “sui generis” or miscellaneous use class, therefore planning permission is needed to change from a dwellinghouse to this use.

4.4. The plans show that the property will have six bedrooms. All of these will be double bedrooms for one person each only, and all exceed the Government’s required minimum double bedroom size of 11.5sq. metres¹ as well as Camden’s own standard of 10.2 sq. metres² for bedrooms with shared kitchen and living room. The property will have a shared kitchen/diner/living room which will measure 44.1 sq. metres, as well as an outdoor roof terrace of similar dimensions, exceeding the

¹ 1 Technical housing standards – nationally described space standard (March 2015)

² Camden HMO Standards (December 2020)

Camden standard of 15 sq. metres for a kitchen/diner shared by 6 people. Two of the rooms are en-suites and the remaining four would share one bathroom and one toilet, exceeding Camden requirement for “At least one bathroom with a fixed bath/shower, wash hand basin and a WC (which may be situated in the bathroom).”³ For four sharers. The proposed rooms, minus the en-suites which are shown on the plans, seem to accord with the required space standards and as such would be of a suitable standard in this regard.

- 4.5. The Private sector housing team was consulted and confirmed that the property would need to have adequate fire precautions, in line with the LACORS guidance which we follow in regard to licenced HMO’s. details on the alterations required for this are listed in section 5.
- 4.6. This will be a secured long term addition to the supply of low-cost housing which can be achieved through controls on rental rates (set at no more than 80% of median rent for a studio flat in the borough)

5. Planning and Listed Building Consent

Proposed alterations

- 5.1. On the lower ground floor, the current storage room will also be converted into a walk-in wardrobe.
- 5.2. On the ground floor, the folding doors will be sealed shut and an acoustic plaster board put in, as shown in the drawings included, to separate the front reception rooms into bedroom 2 and 3. The framework will still be visible in both bedrooms and all the joinery visible in bedroom three, while still giving tenants living there, acoustic privacy. The modern fireplace will also be removed, and the opening reinstated as suggested in the preplanning advice to maintain an indication of the historic feature while also removing functionality within the bedroom. The Private housing sector also recommended that we install a new fire door to the kitchen/diner for fire safety. This would be in the new extension and will be the same design as the other doors in the house to maintain the continuity of historical features throughout the property.
- 5.3. On the first floor, the current bathroom will have a refurbishment to add in a shower/bath to make it more suitable to be used by four people. There is also a floorboard in the larger bedroom that needs replacing as it’s been broken. There is also a mezzanine in the rear bedroom which was flagged by historical England. At the time of construction 2009, it was verbally advised that we wouldn’t need listed building consent as we were told the mezzanine doesn’t harm/ take away from any of the listed parts of the building and doesn’t disrupt the configuration as it is off the ground. This was the advice given to us in 2009; if we wanted to do it now and

³ Camden HMO Standards (December 2020)

the advice would be different, we wouldn't construct it. We only acted on the professional advice given to us at the time. Based on these grounds, this is an appeal to keep the mezzanine.

- 5.4. On the second floor, a small one-person kitchen will be put in which will use a 2 hob induction stove. Its location means that the waste pipe can be fed above the floorboards to the bathroom to connect with the waste pipes there, so no floorboards need taking up and only a 10cm diameter hole will need to be made where there are already pipes going through the floorboards. We will use a charcoal filter vent so no obstructions to the historical external fabric needs to be made. A chipboard protective layer will be applied to the floorboards in the bathroom where tiles are proposed so that they aren't damaged to preserve the historic fabric.
- 5.5. Sheep wool insulation slabs will be used as roof insulation as recommended in the pre planning advice.
- 5.6. All the bedroom doors will be retained but upgraded to make them fire safe. Exactly what this will include needs to be specified by a fire door expert. An automatic fire detection system will also be fitted throughout the house, in private and communal areas as well as carbon monoxide detection and a multipurpose heat sensor in new and existing kitchens.
- 5.7. No further changes to be made, we want to preserve all the characteristics of the original building.

Heritage

- 5.8. The site is within Bloomsbury Conservation Area and the building itself is a heritage asset, being Grade II Listed.
- 5.9. In accordance with paragraph 194 of the National Planning Policy Framework (NPPF, 2021) we are required to describe the significance of the heritage asset, including any contribution made by their setting. Significance is defined within the NPPF as "The value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting. For World Heritage Sites, the cultural value described within each site's Statement of Outstanding Universal Value forms part of its significance.".
- 5.10. To assess significance, the guidance provided in Historic England's Good Practice Advice in Planning 2 (Managing Significance in Decision-Taking in the Historic Environment) and 3 (The Setting of Heritage Assets) has been followed.
- 5.11. The Bloomsbury Conservation Area was initially designated in 1968. The significance of the Conservation Area is it's renowned for its beauty and interest, its streets being set out around and between green squares home to centuries old

plane trees - something which is generally described as an 'internationally significant' example of town planning.

5.12. 51-55 Sidmouth Street is Grade II listed under the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended. It was listed on 14 May 1974 (list entry number 1378668)

5.13. The Historic England website⁴ describes the terrace as follows:

“3 terraced houses. 1807-1818, altered, restored late C20. Darkened stock brick with some later patching. Rusticated stucco ground floors with 1st floor sill bands; Nos 51 and 55 rusticated. 3 storeys and basements. 2 windows each. Round-arched doorways, No.53 with architrave, with fluted attached Doric columns carrying dentil cornice-heads and patterned radial fanlights, panelled doors. Round-arched ground floor windows. Gauged brick flat arches to recessed sashes; Nos 51 and 55 1st floor windows in round-arched, shallow recesses with impost bands. No.51 1st floor windows with architraves, No.53 with casements. Cast-iron balconies to all 1st floor windows. Parapets; No.53 with stuccoed 2nd floor sill band and stuccoed parapet. Right hand return of No.55 painted with early C20 advertising material. INTERIORS: not inspected. SUBSIDIARY FEATURES: attached cast-iron railings with tasselled spearhead finials. (Survey of London: Vol. XXIV, King's Cross Neighbourhood: London: -1952: 77).”

5.14. The significance of 55 Sidmouth Street therefore is its design and materials, and its location on the terrace and in the Conservation Area alongside other similar buildings.

Compliance with planning policy

5.15. Regarding listed buildings, the NPPF states the following (para. 132):

“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. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional.”

5.16. The proposed works comply with the NPPF because the heritage asset will not be harmed. There will be no adverse impact on the special character of the building or its setting in the Conservation Area.

5.17. The Camden Local Plan (2017) states at Policy D2 Heritage that the Council will preserve and enhance Camden’s heritage assets and their settings, including

⁴ <https://historicengland.org.uk/listing/the-list/list-entry/1378668>

conservation areas and listed buildings. The Council will not permit the loss of or substantial harm to a designated heritage asset. Regarding listed buildings, proposals for alterations will be resisted where this would cause harm to the special architectural and historic interest of the building.

It also stated in Policy H10:

“The Council will aim to ensure that there is continued provision of housing with shared facilities to meet the needs of small households with limited incomes and modest space requirements. We will support development of housing with shared facilities (houses in multiple occupation) provided that the development:

- a. will not involve the loss of two or more self-contained homes;
- b. will not involve a site identified for self-contained housing through a current planning permission or a development plan document, unless it is shown that the site is no longer developable for self-contained housing;
- c. complies with any relevant standards for houses in multiple occupation;
- d. contributes to creating a mixed, inclusive and sustainable community;
- e. does not create a harmful concentration of such a use in the local area or cause harm to nearby residential amenity; and
- f. is secured as a long-term addition to the supply of low cost housing, or otherwise provides an appropriate amount of affordable housing, having regard to Policy H4 Maximising the supply of affordable housing.”

5.18. As stated, the proposal will not cause any harm to the heritage asset. It is only regarding the loss of one self-contained home. It is not a site identified for self-contained housing. It will be brought up to any relevant standards for houses in multiple occupation. It will contribute to creating a mixed, inclusive and sustainable community as it will provide 6 new affordable housings and will have ample space for them to come together and socialise within the building. And it shouldn't create a harmful concentration of such a use in the local area or cause harm to nearby residential amenity. Therefore, the proposal should comply with the Local Plan.

5.19. Bloomsbury conservation states:

“Generally, the character of our conservation areas is of a residential and institutional nature, with many commercial areas serving its residents and institutions. This is part of the special character of the area. We therefore oppose anything which seeks to harm this special character, such as applications for nightclubs or other types of night-use.” It also states that they oppose ‘tourist shops.’”

The proposal does not include any of the elements listed as inappropriate. It will not adversely affect the character or appearance of the area.

6. Transport

- 6.1. In line with Policy T1 of the Camden Local Plan, we expect cycle parking to be provided in accordance with the standards set out in the London Plan. Whilst there is no specific standard for HMOs, the requirement in this instance would be for 1 space per room, giving a requirement for 6 spaces. Given that the property is Grade II Listed cycle provision could be waived in this instance.
- 6.2. In accordance with Policy T2 of the Camden Local Plan, all 6 rooms should be secured as on- street Residents parking permit (car) free by means of a Section 106 Agreement. This will prevent the future occupants from adding to existing on-street parking pressures, traffic congestion and air pollution, whilst encouraging the use of more sustainable modes of transport such as walking, cycling and public transport. None of the existing residents will be returning to the property once it is converted and so it is appropriate to secure all 6 rooms as car free in accordance with Policy T2.

7. Waste And Recycling

- 7.1. The Council is seeking to make Camden a low waste borough. Policy CC5 of the Local Plan aims to reduce the amount of waste produced in the borough and increase recycling and the re-use of materials and it seeks to ensure that developments include facilities for the storage and collection of waste and recycling.
- 7.2. It's is stated in CPG Design that:

“The Council currently offers waste collection of the following minimum volumes per dwelling with three bedrooms or less, per week: • 120 litres of bin, box or sack volume for general waste or ‘refuse’ • 140 litres of mixed dry recycling • 23 litres of food waste.” “Where there are more than three bedrooms, sufficient additional volume should be provided (i.e. 20L for general waste per additional bedroom plus 20L for mixed recycling per additional bedroom).”
- 7.3. The property will have 6 rooms so will need 180L of bin for general waste, 200L for recycling and 23L for food waste. Internally there is an inbuilt bin in the kitchen providing 180L for general waste. A 200L recycling bin and 23L food waste bin can be provided that can sit in a space next to the inbuilt bin in the kitchen. Externally, there is a gated section next to the front door (as labelled in the proposed plans) where two 240L bins and a food waste bin can sit neatly off the road for the council to collect. Instructions might have to be organised so that waste collectors don't miss it.
- 7.4. All tenants will be educated on how to properly recycle and how to use each bin appropriately.

8. Summary

- 8.1. 55 Sidmouth Street in Bloomsbury Conservation Area and is part of the Grade II listed 51-53 Sidmouth Street.
- 8.2. The proposal for a 6-bedroom HMO at 55 Sidmouth Street requires planning permission. The HMO will meet all national and local HMO standards. The proposal should be accepted subject to further clarification and approval from the HMO licencing team and securing it as low-cost housing.
- 8.3. There will be no adverse impact on the Conservation Area. The proposal will not cause harm to the special character of the listed building or its setting.
- 8.4. No changes are proposed to access arrangements.
- 8.5. The proposed alterations comply with national and local policy and should therefore be approved.