

Delegated Report	Analysis sheet	Expiry Date:	01/02/2024
	N/A	Consultation Expiry Date:	11/02/2024
Officer		Application Number(s)	
Obote Hope		2023/4443/P and 2023/5120/L	
Application Address		Drawing Numbers	
Basement and ground Floor 26 Swinton Street London WC1X 9NX		Please refer to draft decision notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature
Proposal(s)			
<ol style="list-style-type: none"> Erection of a two storey rear extension following the demolition of the existing conservatory, to the rear elevation at lower-ground floor level. Demolition of existing conservatory and rear walls, chimney breast, internal stud walls and erection of two storey rear extension at lower ground floor level with internal alterations for ancillary residential floorspace. 			
Recommendation(s):	Refuse Planning Permission and Listed Building Consent		
Application Type:	Full Planning Permission and Listed building Consent		
Conditions or Reasons for Refusal:	Refer to Draft Decision Notice		
Informatives:			
Consultations			
	No. of responses	00	No. of objections 00
Neighbour Consultation	A site notice was put up on 11/01/2019 and expired on the 04/02/2019. A press advert was put up on the 18/01/2024 and expired on 11/02/2024 No comment/objection was received.		
Bloomsbury CAAC	No comment/objection was received from the CAAC at the time of writing up this application.		

Site Description

No.26 is one of a terrace of 12 houses, built c1835-44. The terrace was built as 3 storeys plus basements. Nos.18-26 have been extended with the addition of mansard roofs in the twentieth century.

The terrace is a GII listed. The significance of the site includes its architectural design and materials, floorplan, townscape value and its evidential value as a mid-nineteenth century terraced building. The Council has a statutory obligation to preserve or enhance the character and appearance of the conservation area, to which the subject site makes a strongly positive contribution.

The western end of Swinton Street, the junction with Gray's Inn Road is defined by Swinton House, a six storey sandstone building plus a mansard level (described above). A richly decorated five-storey extension, which is constructed of London stock brick with red brick detailing, adjoins Swinton House to the rear. This property, nos. 76-78 Swinton Street, has arched modern windows with red brick surrounds, projecting cornices at third floor and roof level, circular windows at fourth floor level and a projecting central entrance bay. It is of notable architectural interest, forms a focal point on Swinton Street and makes a valuable contribution to the character of this part of the Conservation Area. Architecturally, buildings in the immediate vicinity are mainly large detached and semi-detached residential properties from the Victorian and Edwardian period. Most of them range from three to four storeys in height. The predominant material is red brick with elements of white render and ornamental features.

The southern boundary of this part of the Conservation Area is formed by Swinton Street, a principal road which connects Gray's Inn Road with King's Cross Road. Swinton Street is lined with a range of offices and institutional buildings as well as smaller domestic properties.

The application site is located within Kings Cross St Pancras Conservation Area which consist of a mixture of early 19th century terraces and larger scale institutional buildings. The area between the main roads contains narrow streets paved in granite setts, predominantly lined with later 19th century buildings of former light-industrial and commercial uses, as well as housing.

Relevant History

2572/R4 – listed building consent for works of alteration and extension in connection with the conversion of the building into two self-contained flats, one bed sitting unit and one maisonette. **Granted 06/08/1981**).

31630/R4 – planning permission for the conversion of a single dwelling house into two self-contained flats, one bed sitting unit and one maisonette, involving the erection of a rear extension at basement and ground floor levels and alterations to the front and rear elevation. **Granted** on 06/08/1981.

31634/R3 – planning permission for the conversion of a single dwelling house into three self-contained flats and two bed-sitting units, involving the erection of a rear extension at basement and ground floors and alterations to the front and rear elevations. **Refused** on 28/05/1981.

Reason for refusal: ***The proposal would lead to the loss of a family size accommodation contrary to the Council's policy of safeguarding such accommodation, as expressed in the District Plan, and is also considered over subdivision of the building.***

9501312 – planning permission for the erection of conservatory extension at rear basement level. **Granted** on 25/08/1995.

CTP2554 – planning permission for the change of use from tenement house to private hotel for a limited period. **Granted** on 14/11/1966.

CTP26616 – planning permission for change of use of basement from residential to use as a hotel dining room, kitchen and store. **Refused** on 17/10/1978.

National Planning Policy Framework 2023

The London Plan 2021

Camden Local Plan 2017

Policy A1 Managing the impact of development

Policy D1 Design

Policy D2 Heritage

Policy A3 Biodiversity

Policy CC1 Climate change mitigation

Policy CC2 Adapting to climate change

Policy CC3 Water and flooding

Camden Planning Guidance (CPG)

Amenity CPG (January)

Design CPG (January 2021)

Home Improvements CPG (January 2021)

Biodiversity CPG (March 2018)

Energy efficiency and adaption CPG (January 2021)

Kings Cross St Pancras Conservation Area Appraisal and Management Strategy (2003)

PROPOSAL

1.1. The applicant seeks planning permission and listed building consent for the following:

- Demolition of the rear walls at lower and ground floor level;
- Erection of a two storey rear full width extensions;
- Installation of new ensuite bathroom ground floors;
- Alterations to the existing internal staircase;
- Installation of new utility room;
- Installation of new ensuite bathroom;
- Alterations to the existing partitions;

2. CONSIDERATIONS

2.1. The material considerations for this application are as follows:

- Design and Heritage
- Amenity

3. ASSESSMENT

Design and Heritage

3.1.1. 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.

3.1.2. The Design Camden Planning Guidance (CPG) states that the Council will consider the impact of proposals on the historic significance of the building, 'including its features such as the original and historic materials and architectural features'. It also states:

'As set out in Historic England Advice Note 1 (second edition, 2018) the cumulative impact of incremental small-scale changes on a particular heritage asset may have as great an effect on its significance as a larger scale change. Where the significance of a heritage asset has been compromised in the past by unsympathetic development to the asset itself or its setting, the Council will consider whether additional change will further detract from, or can enhance, the significance of the asset in order to accord with the approach set out in the NPPF... The Council recognises that changes to individual buildings, as well as groups of buildings such as terraces, can cumulatively cause harm to the character of conservation areas. We will therefore take cumulative impact into account when assessing a scheme's impact on conservation areas.'

3.1.3. *The NPPF requires its own exercise to be undertaken as set out in chapter 16 - Conserving and enhancing the historic environment. Paragraph 201 requires local planning authorities to identify and assess the particular significance of any heritage assets that may be affected by a proposal. Paragraphs 205-208 require consideration as to the impact of a proposed development on the significance of a designated heritage asset, including an assessment and identification of any harm/the degree of harm.*

- 3.1.4. Sections 16, 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (“the Listed Buildings Act”) provide a statutory presumption in favour of the preservation of the character and appearance of Conservation Areas, and the preservation of Listed Buildings and their settings. Considerable importance and weight should be attached to their preservation. A proposal which would cause harm should only be permitted where there are strong countervailing planning considerations which are sufficiently powerful to outweigh the presumption including public benefit.
- 3.1.5. The duties imposed by the Listed Buildings Act are in addition to the duty imposed by section 38(6) of the Planning and Compulsory Purchase Act 2004, to determine the application in accordance with the development plan unless material considerations indicate otherwise. Moreover, the NPPF requires its own exercise to be undertaken as set out in chapter 16 - Conserving and enhancing the historic environment. Paragraph 200 requires local planning authorities to identify and assess the particular significance of any heritage assets that may be affected by a proposal. Paragraphs 205-206 require consideration as to the impact of a proposed development on the significance of a designated heritage asset, including an assessment and identification of any harm/the degree of harm. Paragraph 207 states:
- ‘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.’*
- 3.1.6. The application site is a grade II listed building and situated in the Kings Cross Conservation Area (KCCA). The KCCAAC in Paragraph 6.3 makes specific reference to alteration and extension and warns that new development including alterations and extension could have a cumulative or individual impact that can be harmful on the character and appearance of the area. An example of an inappropriate change that can be harmful is new extensions which are insensitive to the form of the original building by virtue of their scale, proportion and detailing.
- 3.1.7. Planning permission is sought for the erection of a two storey rear extension following the demolition of the existing conservatory and lean-to extensions at lower ground floor and existing half-width extension at ground floor with associated internal and external alterations. As per the planning history an extension was added to the rear elevation in the 1980’s. Despite these modifications, which did negatively impact on the fabric and plan form, the building still retains significant historic and architectural interest.
- 3.1.8. The proposed extension on the lower ground floor measures approximately 6.4m in depth and 5.3m in width. The largest part of the proposed ground floor extensions would measure a maximum of 5.2m in depth and 3.5m in width, with the proposed replacement half-width extension of a similar bulk and scale to the existing ground floor level rear projection. Combined the ground and lower ground floor additions would have a height of between 4.9 to 6.1m and would be the full width of the host property.
- 3.1.9. The rear walls to the lower ground floor extension would be predominantly glazed, would be rendered white and would consist of full height sliding door (2.5m in width) and a full height window (0.7m in width). The proposed full width ground floor extension would be constructed with brick to match and would consist of timber sash window with glazing bars to match the existing.
- 3.1.10. Like other buildings in the terrace (but with the exception of Nos.18-24) No.26 have retained the partial width two storey (lower ground and ground floor) rear extensions and as proposed the ground floor extension projects further than the rear elevations of the two neighbouring properties and therefore fails to present as subordinate in its context.

The extension's scale would overwhelm the rear elevation in terms of the overall character and architectural integrity of the host building. This existing two storey rear projection, as stated above, is meant to be read as subservient in relation to the main house and is an important part of its character and significance as well as contributing to the setting and the hierarchical nature of the dwelling. The proposal extends the length of the extension and also out beyond the common rear building line for the terrace (see image 1 below). This building line should be respected as the limit of any extension.



Image 1. Shows the common building line at the rear of the terrace.

- 3.1.11. The proposed loss of the original fabric with the demolition of the rear walls and the excessive increase to the plan form of the building, is of great concern. This combined with the large fenestration treatment with the use of contemporary doors (at lower-ground floor) would fail to preserve or enhance the character of the conservation area and listed building. The number of unsympathetic alterations proposed means that the rear elevation would have very little discernible original character left and therefore there will be clear harm to the significance of host building. These principles as specifically mentioned above would result in the rear elevation being lost and the character of the building to the rear would also be adversely impacted upon.
- 3.1.12. Whilst the erection of a 2 storey extension at lower and ground floor level would enable an enlarged kitchen at lower-ground floor level and provision of an ensuite bathroom and utility rooms at ground floor level, the works would ultimately significantly alter the plan form of the host building. The stud wall dividing the bedrooms would be demolished to create a larger bedroom and the internal door and room configuration would be lost. Although it is acknowledged that the lower ground area is of lesser significance within the listed building there it is considered that there is no justification for the amount of demolition work being proposed, which is discussed further below.
- 3.1.13. At ground level the houses in this terrace would traditionally have had only partial width rear wings to enable natural light into the rear room via a full-sized sash window. The proposal is to demolish the back wall and build a partial width extension obstructing any source of natural light to the former back room. The changes to the plan form at this level is of greater significance: the demolition of the partition walls, the relocation of the bathroom and the installation of new ensuite bathroom and utility enclosure would result in a scheme which is poorly designed; much of the ground floor is now corridor; a small inner 'extension' to the bathroom is also proposed which is similarly unacceptable. Notwithstanding this, the historic planform of these properties is part of the architectural significance. This together with loss of the back chimney breast would be totally unacceptable.

- 3.1.14. Overall the Council has identified less than substantial harm to the significance of the listed building. The heritage statement stated that the existing footprint is approximately 80sqm and combined the rear extensions would cover approximately 68sqm, which would be approximately 85% of the footprint of the main dwelling. There would be loss of the historic fabric given the rear walls and chimney breast would be demolished. The architectural significance would also be negatively affected as the rear extensions would destroy the repeat arrangement of the terrace buildings (part of the significance). These works, including the alterations to the plan form of both the lower and ground floors cannot be considered acceptable. Extensions should be subservient and sympathetic in character and what is being proposed here is excessive in terms of its bulk and scale. The harm the proposal would have to the significance of listed building and its setting within the Kings Cross St Pancras Conservation Area, although less than substantial, must be given considerable weight and importance. There are no public benefits that would outweigh this harm. As such, the proposal fails to accord with policies D1 and D2 of the Camden Local Plan, the London Plan 2021, or the NPPF 2023.
- 3.1.15. The loss of the original fabric and traditional features are not supported by the Council. The assessments provided with the application do not acknowledge or address these impacts and for these reasons, in addition to the reasons discussed above, the proposal would diminish the significance of the listed building which would in turn erode the significance of the listed building within the wider area. Special regard has been attached to the desirability of preserving the listed building, its setting and its features of special architectural or historic interest, under s.16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 3.1.16. Special attention has also 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 Areas) Act 1990.
- 3.1.17. From heritage and conservation perspective it is recommended that the application be refused.

Amenity

- 3.2.1. 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. This is supported by the CPG Amenity.
- 3.2.2. The application site is located between nos. 18 to 24 and no. 28 Swinton Street. Whilst the lower ground floor extension would extend approximately 1.2m further than the rear addition at neighbouring no. 28 Swinton Street it is considered that the proposal would not have an impact that would be detrimental in terms of a loss of outlook or day/sunlight given that the proposal is single storey in height only at that depth.
- 3.2.3. The proposal would retain a 1.8m set back with nos. 18 to 24 Swinton Street at ground floor level and whilst the existing ground floor projection would be rebuilt its height would be similar to that of the existing rear projection. The lower-ground floor extension would not extend further than the external staircase enclosure of the neighbouring property. Thus, would not be an adverse impact on outlook or enclosure. These aspects also mean that daylight/sunlight will not be impacted as a consequence of this proposal.
- 3.2.4. Overall the proposal complies with A1 of the 2017 Camden Local Plan and Amenity CPG.

4. RECOMMENDATION

4.1. Refuse Planning Permission for the following reasons:

4.1.2. The proposed ground floor and lower ground floor rear extension, by reason of their scale, material and design would be detrimental to the character and appearance of the host building, streetscene and surrounding area. This would harm the significance of the host and nearby Listed Buildings. Thus, the proposed two storey rear addition would have an impact on its setting, and the significance of the Kings Cross St Pancras Conservation Area. The proposal is therefore contrary to policies D1 (Design) and D2 (Heritage) of the London Borough of Camden Local Plan 2017.

4.1.3. Refuse Listed Building Consent for the following reasons:

4.1.4. The proposed internal alterations to the plan form and the loss of the historic chimney breast and other parts of the building's original fabric, would represent incongruous interventions to the existing Listed Building. Insufficient evidence has been provided to demonstrate the removal of the existing historic fabric and plan form would not cause harm to the special character of the listed building. These interventions would therefore cause less than substantial harm to the character, appearance and historic significance of the Grade II Listed Building, contrary to policy D2 (Heritage) of the Camden Local Plan (2017).