

2 Britannia Street - Kings Cross

## Planning Statement

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## 1. Introduction

### Background

1.1. This Planning Statement has been prepared by Drew Planning & Development Ltd, in support of the planning application for a change of use relating to 2 Britannia Street, Camden.

1.2. The proposed description of development is as follows:

*“Change of Use from a Class A4 (Drinking Establishment) with ancillary accommodation, internal reconstruction, addition of a mansard roof side extension and lowering of the existing basement floor to provide 5 x 2 bedroom and 3 x 1 bedroom dwellings (Class C3)”*

1.3. This proposed development follows advice through pre-application discussions with Camden Council (reference: ENQ/ 2012/06911). The change of use would allow the occupation of a vacant property to provide a high quality refurbishment of a prominent and locally important building.

1.4. This report details the amendments that have been made to the original scheme submitted at pre-application. The changes are in accordance with the pre-application advice received by the London Borough of Camden and this revised proposed development is considered to be an acceptable form of development in accordance with the Local Plan.

### Structure of this Report

1.5. This statement, which is structured as follows, should be read in conjunction with the Design and Access Statement (which includes a sustainability assessment), Basement Impact Assessment (BIA), Noise Survey, Daylight and Sunlight Report and drawings and is set out as follows:

Section 2: Site and Surrounding Area;

Section 3: Planning History;

Section 4: The Proposal;

Section 5: Planning Considerations;

Section 6: Summary and Conclusions.

## **2. Site and Surroundings**

- 2.1. The application site comprises three traditional storeys, with an additional lower ground floor.
- 2.2. The application site forms a corner plot at the junction of Britannia Street and Kings Cross Road, within the Kings Cross Conservation Area. The neighbouring properties fronting Britannia Street are a mix of residential and commercial buildings. The surrounding area is predominantly mixed use with a small number of retail and other services at ground level, principally along Kings Cross Road.
- 2.3. The application site currently contains a vacant public house/bar (Class A4) at ground floor with associated facilities at lower ground floor accessed from doors on both Britannia Street and Kings Cross Road. Above this the property provides storage, kitchen area a secondary bar space and staff accommodation. The public house is currently vacant.
- 2.4. The public house has been previously known as The Golden Lion, Kings Cross Social and most recently The Lion. Despite one of the name changes to suggest it was a club it has always operated as a public house. The recent name changes were branding alterations to attempt to attract new custom.

### 3. Planning History

3.1. The planning history for the application site is detailed below. It confirms use of the ground and lower ground floor as a public house and ancillary residential above.

- January 1979 – *Planning permission granted – Construction of new doors in Britannia Street and Kings Cross Road frontages ref L15/10/1/27628*
- September 1973 – *Planning permission refused – The temporary change of use of the first and second floors from a public house with living accommodation to offices re. L15/10/1/17004*

#### Pre-application Response

3.2. The pre-application proposal consisted the erection of a roof extension over the existing building plus a three storey side extension and the change of use from a public house (Class A4) to create 9 self-contained flats (1 x 3 bed, 4 x 2 beds and 4x 1 bed) plus the creation of a roof terrace and garage space.

3.3. The formal pre-application response written in relation to the above proposal was received on 29 October 2012, from Mr Hugh Miller, and states the following in relation to the development proposals:

- The change of use to residential may be acceptable but subject to the existing building not being used for community uses as per policy DP15.
- The unit size and mix is unacceptable. The provision of 4 x 1 bedroom flats is based on erection of a 3-storey side extension but, as a lower 2-storey high one would be more appropriate this may reduce the numbers of 1 bedroom flats.
- A roof extension is acceptable but a well designed mansard roof extension would be more appropriate excluding the roof terrace and staircase enclosure.
- A 2-storey side extension is considered to be the maximum allowed subject to satisfactory design and use of materials.
- A daylight /sunlight study of the extensions' impact on the amenity of neighbours in 165-167 Kings Cross Road is required.
- The scheme will be the subject to a number of S106 planning obligation requirements and contributions.

- 3.4. In conclusion the advice summarises that it is likely the loss of the A4 use would be acceptable. However, there are reservations in regard to the design, and the residential mix.
- 3.5. Changes to the proposals have been made in accordance with the advice, as detailed in the next section.

## 4. The Proposal

### Background

- 4.1. The proposals that form this application have been developed in response to the pre-application advice received from Camden.
- 4.2. The concerns raised through the pre-application formal response have been addressed. The proposal now has a revised and reduced number of dwellings better reflecting the housing need in the area. The proposed side extension has been redesigned to allow the gap between the building and the terrace to be better articulated. The roof extension is now proposed as a mansard and the proposal has been found to be acceptable in daylight and sunlight analysis.

### Proposal

- 4.3. This application therefore consists of a proposed change of use from a Class A4 (Drinking Establishment) use, with ancillary staff accommodation to 8 flats (Class C3). The proposal also includes the erection of side extension, a mansard roof and lowering the lower ground floor slab.
- 4.4. The formal description of development is as follows:

*“Change of Use from a Class A4 (Drinking Establishment) with ancillary accommodation, internal reconstruction, addition of a mansard roof and side extension of the property to provide 5 x 2 bedroom and 3 x 1 bedroom dwellings (Class C3) including lowering of the existing basement floor.”*

### Community Use

- 4.5. The pre-application advice confirmed that the change of use may be acceptable subject to the existing building not being used for community uses. The public house is currently closed and prior to this has been struggling financially under a number of different owners. A number of attempts were made to try to focus the facility towards specific groups to help reduce the fall in custom. This failed to make a difference and the owners then restricted opening to evenings to focus on the potentially busiest times. This though also failed enough to make the business sustainable.
- 4.6. The property has only been used as a public house and its community function has gradually eroded as custom reduced. It is therefore a case that the property has neither a community use nor a financially viable use. The public house closed in June 2013.

### Mix of unit sizes

- 4.7. The proposal now provides dwellings in a mix that are both most appropriate for the area as well as being meeting the unit sizes in most demand.
- 4.8. The family sized three bedroom unit has been removed as this is not regarded as being an appropriate location for family living on one of the busiest streets in the Borough. The dominance of one bedroom flats has also been addressed with the focus of units now on two bedroom units which is where the Borough considers the greatest housing need exists.
- 4.9. The proposal now consists of the following mix of units which are all in excess of the unit size guidelines as can be seen in the table below:

Location	Flat	Bedrooms	Persons	Size (NFA)	CPG minimum
Ground	1	2	4	138 sqm	75sqm
Ground	2	2	4	146 sqm	75sqm
Ground	3	2	3	100sqm	61sqm
First	4	1	2	53sqm	48sqm
First	5	1	2	61sqm	48sqm
Second	6	2	4	91sqm	75sqm
Second	7	1	2	62sqm	48sqm
Third	8	2	4	104sqm	75sqm

### 4.10. Roof Extension

- 4.11. It has been agreed in the pre-application advice that a roof extension is acceptable if it was a well designed mansard type. The proposal now provides a mansard roof on the existing building and the detailed drawings and photo montages show that this is good quality design that works well with the host building.

### Side Extension

- 4.12. The pre-application advice suggested that two storey side extension would be the maximum allowed. This was based on an early iteration of the design along with setting the extension back from the front of the site. In revising the designs a combination of the two made the extension appear too short.
- 4.13. With a more refined design combined with setting the extension back a three storey side extension appears to work well. It is still subservient to the host building and the neighbouring higher building. By using a metal cladding the extension is able to be read as completely separate from the buildings either side while is still large enough to enable the building to have its own identify on a street dominated with large buildings.



- 4.14. The applicant has considered the Borough's advice and designed alternatives but believes that by setting the building back as suggested the three storey side extension sits comfortably within the streetscape and therefore wishes to maintain this element of the proposal.

#### Restoration

- 4.15. The proposal retains the façade of the existing building in recognition of the important contribution it makes to the character of the conservation area. The exterior of the existing building is to be repaired using materials to match those in existence. The aim is to introduce a residential use but to maintain the commercial character of the property.
- 4.16. The building originally had more entrances than exist at the moment, This reflected entrances to different bars and for different people (men, women and staff). That was also a separate outside entrance to the toilet. These entrances are still evident in the existing façade and will be restored to provide front doors to as many of the apartments as possible.
- 4.17. The cellar is to be excavated by 500mm (half a metre) to allow living space in this extensive area. New windows will be inserted into the existing façade to enable natural light to enter. The use of duplex and triplex apartments enables the existing front doors to be used as well as giving flats a "house" like feel.
- 4.18. The property has extensive vaults below the pavement. These are being used for storage and generous wardrobe space. The result is that the floor areas for each flat may seem generous for the number of bedrooms but much of the space is limited in its use because of the retention of the façade.

#### Daylight and Sunlight Report

- 4.19. The application includes a daylight and sunlight report undertaken by MES. This has assessed all neighbouring buildings and concludes that although there are no material breaches of the guidelines to neighbouring properties. Where there are breaches these are in windows that serve lobby areas or where the windows are very close to the site boundary.

#### Planning Benefits

- 4.20. The scheme will provide planning benefits through a Section 106 agreement for educational contributions (in line with CPG8) and open space contributions (in line with CPG 6). The proposal will also include either a financial contribution or works in kind to make good the pavement area outside of the property.

- 4.21. A contribution to the Mayor of London's CIL will be made at £50 a square metre of additional floorspace. While the public house ceased trading in June 2013 the residential part of the property is occupied in order to maintain security. Therefore the CIL payment is only applicable to the uplift in floorspace.

## 5. Planning Considerations

5.1. The main planning considerations that arise as a result of the proposals are considered to be:

- Land Use;
- Design and impact on the character and appearance of the Conservation Area;
- Amenity;
- Basement Works;
- Standard of Accommodation;
- Transport;
- Waste/Servicing;
- Sustainability; and
- Section 106 Obligations and CIL.

### Land Use Loss of A4 (Drinking Establishment)

- 5.2. Core Strategy Policy CS7 states that the Council will make sure that food, drink and entertainment uses do not have a harmful impact on residents and the local area, and indicates that such uses are most appropriately located in Camden's Central London Frontages, Town Centres and the King's Cross Opportunity Area. The site is not in any of these preferred locations.
- 5.3. There are no policies within the adopted Core Strategy that specifically protect public houses. However, within the subtext of Development Policy (DP) 15 Camden Council state their resistance to losing public houses that provide a defined community service such as meeting space and areas for evening classes. There is no evidence to suggest that the site has been used for any community functions.
- 5.4. The London Plan (2011), deals with strategic matters and does not specifically provide a policy on A4 (Drinking Establishment) uses. It is therefore not considered that the change of use sought within this proposal is contrary to The London Plan (2011).
- 5.5. Paragraph 70 of the NPPF advises that planning policies and decisions should:

*“plan positively for the provision and use of shared space, community facilities (such as ... public houses ...) and other local services to enhance the sustainability of communities and residential environments. guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day to day needs.”*

- 5.6. Clearly, in this instance the loss of this individual public house will in no way hinder the community's ability to meet its day to day needs. There are a number of existing and a substantial number of new facilities within a few minutes' walk of the property.
- 5.7. Arguably the success of the Kings Cross regeneration has had a negative impact on viability of A4 uses on the periphery of this area. However the Opportunity Area was designed to bring about such change and for the focus of redevelopment to ripple out beyond the Opportunity Area boundary. In this case the concentration of retail functions at Kings Cross has enabled nearby areas to be regenerated for other uses. The most important of those other uses is that of the provision of additional housing. The proposal is therefore in accordance with paragraph 70 of the NPPF.

#### Provision of Residential Floorspace

- 5.8. Residential floorspace is a priority land use in Camden. This is evidenced by Core Strategy (CS) Policy 6 which seeks no net loss of any residential units.
- 5.9. The existing property contains ancillary staff accommodation in two flats and so this proposal will not result in the loss of any residential units. It will however, provide additional residential floorspace and 8 new dwellings in total.
- 5.10. The pre-application advice concludes that the provision of residential floorspace is acceptable. However, the proposed configuration of units were not acceptable. Following this advice, the design proposals have been amended to ensure that the residential accommodation provided is of a high quality and meets policy requirements.
- 5.11. In response to the advice received the reconfiguration now proposes to focus on two bedroom units which allow the proposal to best meet the local need. The remainder are one bedroom units.

#### Design and impact of the character and appearance of the Conservation Area

- 5.12. Core Policy CS14 (Promoting high quality places and conserving our heritage), and Kings Cross Conservation Area Statement, seek to ensure high quality design throughout the borough and area.
- 5.13. The proposals provide the opportunity to significantly improve the appearance of this building by enhancing the heritage asset (the Conservation Area). This is achieved by restoring the exterior of the building using traditional materials and opening up windows that had previously been bricked up.
- 5.14. The proposed mansard roof provides additional residential floorspace and amenity space. It is sensitively designed and clad in traditional slate with lead flashing. It is set

back from the main facade and behind the parapet wall ensuring it has very little visual impact.

### Amenity Impacts

5.15. Policy CS5 (Managing the impact of growth and development) seeks to protect amenity. Paragraph 5.7 seeks to avoid harmful effects on the amenity of existing and future occupiers, and nearby properties, or where this is not possible, to take appropriate measures to minimise potential negative impacts. Development Management Policy DP26 (Managing the impacts of development on occupiers and neighbours) states that the Council will protect the quality of life of occupiers and neighbours by only granting permission for development that does not cause harm to amenity.

5.16. The proposed residential floorspace has been divided and arranged in order to minimise overlooking, and maximise internal daylight and sunlight to the habitable rooms.

5.17. Paragraph 7.19 of the Core Strategy states:“

*“Food, drink and entertainment uses, such as restaurants, pubs and bars, music venues, cafés and hot food take-aways, are most appropriately located in commercial areas to minimise their impact on the amenity of local residents.”*

5.18. The removal of the former drinking establishment use in a residential area should therefore result in a significant improvement in residential amenity in the area where an increasing amount of residential uses have been developed in recent years.

### Basement Works

5.19. The works to the basement simply seek to create useable residential floor to ceiling heights by lowering the existing floor slab. A Basement Impact Assessment (BIA) has been undertaken. It concludes that the proposed amendments are suitable in Policy terms, and Structural stability. Further information is detailed within the enclosed BIA report which has been produced in accordance with the London Borough of Camden's 'Basement and Lightwells' guidance document.

### Standard of Accommodation

5.20. The residential accommodation proposed exceeds the targets set out in the GLA's London Housing Design Guide and the recently published SPG. The proposal provides ample living and habitable room spaces. It is acceptable daylight and sunlight levels and provides internal bike and refuse storage.

### Transport

- 5.21. The application site is located approximately within 100 metres of bus stop and within walking distance of Kings Cross / St Pancras Station and underground.
- 5.22. It is not considered that any permit free restriction is required or justified but if this is considered necessary then this will be agreed within the Section 106 agreement.
- 5.23. The proposals include the provision of bike storage. This can be found within the ground floor.

### Waste / Servicing

- 5.24. Ample provision for waste storage has been considered and incorporated into the plans. The proposal includes a refuse store which is accessed externally from Britannia Street but incorporated in to the building to avoid external clutter on the public highway. The bin store provides inclusive and secure waste storage allowing space for three Eurobins, which allows easy access for the residents and refuse collectors. The proposed bin store is for co-mingled recyclables, non-recyclable waste and food waste

### Sustainability

- 5.25. The proposed development comprises a range of sustainability features which are designed into the building. This includes secondary and double glazing, improved insulation, a brown roof and energy efficient appliances and lighting. This has all been achieved while still maintaining the existing external fabric of the public house.
- 5.26. The mansard roof and side extension will be constructed from high quality materials that will provide additional insulation to the existing building. Further improvements consist of the redevelopment of the lower ground floor level, which will see upgrading, and substantial improvements to usability, and building efficiency.
- 5.27. The proposals also include the additions of internal recyclable and non recyclable refuse storage, and provisions of cycle storage to encourage sustainable travel patterns.
- 5.28. A detailed sustainability assessment is included in the Design & Access Statement.

### Section 106 Obligations and CIL

- 5.29. The scheme will provide planning benefits through a section 106 agreement for educational contributions (in line with CPG8) and open space contributions (in line with CPG 6). The proposal will also include either a financial contribution or works in kind to make good the pavement area outside of the property.
- 5.30. A contribution to the Mayor of London's CIL will be made at £50 a square metre of additional floorspace. While the public house ceased trading in June 2013 the residential part of the property is occupied in order to maintain security. Therefore the CIL payment is only applicable to the uplift in floorspace.

## **6. Summary and Conclusions**

- 6.1. This application seeks planning permission for a change of use and the addition of a mansard roof and side extension together with the restoration of the retained building's façade and deepening of the existing basement.
- 6.2. Pre-application advice was sought prior to the submission of this application. The scheme will provide planning benefits through a section 106 agreement for educational contributions (in line with CPG8) and open space contributions (in line with CPG 6). The proposal will also include either a financial contribution or works in kind to make good the pavement area outside of the property.
- 6.3. A contribution to the Mayor of London's CIL will be made at £50 a square metre of additional floorspace.
- 6.4. In terms of the loss of the vacant A4 use, there are no policies which specifically restrict the loss of public houses in Camden, and there is no evidence to suggest the site has been used for community functions.
- 6.5. The availability of the other pubs and bars in the local area is also substantial and so the loss of this use would not have any significant impact on local provision.
- 6.6. The mansard roof and side extension are considered to complement the building and together with the retention of the commercial character will enhance the building's contribution to the Conservation Area.
- 6.7. The standard of accommodation meets and exceeds the minimum requirements of policy and provides a high quality accommodation providing the new housing units in most demand.