

Delegated Report (Members' Briefing)		Analysis sheet		Expiry Date:		05/11/2012	
		N/A / attached		Consultation Expiry Date:		25/10/2012	
Officer				Application Number(s)			
Rob Tulloch				2012/4429/P			
Application Address				Drawing Numbers			
21 Macklin Street London WC2B 5NN				See decision notice			
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature				
Proposal(s)							
Change of use from office at basement and ground floors (Class B1) and maisonette on upper floors (Class C3) to three residential units (1x 3 bedroom maisonette, 1x1 bedroom maisonette and a studio flat) (Class C3) including erection of a mansard roof extension at 4th floor, rear extension at 4th floor and provision of roof terraces at 2nd and 5th floor levels and alterations to fenestration.							
Recommendation(s):		Grant Planning Permission Subject to a Section 106 Agreement					
Application Type:		Full Planning Permission					
Conditions:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:		No. notified	14	No. of responses	01	No. of objections	01
Summary of consultation responses:		<p>Site notice 21/09/2012-12/10/2012 Press advert 04/10/2012-25/10/2012</p> <p>23 Macklin Street supports the change of use, but objects to:</p> <ul style="list-style-type: none"> • The increase in height of the chimney of no.23 which is a listed building (see section 3.9) • The proposal would harm the setting of the adjacent listed building and conservation area (see section 3) • The terraces would overlook no. 23 and the proposed 1.7m screens would not adequately address this (see section 5) • The use of the terraces would harm amenity in terms of noise and people smoking (see section 5) • The creation of three flats would create more disturbance (see section 5) <p>Officer comment: The application is largely the same as the previous approval (2010/1702/P), in terms of external alteration and extensions including terraces and screening. The alterations to the chimney of no. 23 would require separate listed building consent.</p>					

CAAC/Local group comments:

Covent Garden Community Association do not object, but note the small size of the proposed units. The increase in small units in the area can harm the fabric and vibrancy of Covent Garden.

Officer comment: Only the studio flat is below Camden's residential development standards, but this is considered acceptable as external amenity space is being provided.

Covent Garden CAAC object to the double glazing and the thickness of the glazing bars, and the additional two storeys.

Officer comment: No detail of the replacement windows have been provided, such details will be secured by a condition.

Site Description

The application site is a four storey building with offices on the ground and basement floors and a maisonette above. The property is located on the north side of Macklin Street and located between a similarly designed building at no. 19 Macklin Street and a larger Grade II listed building at no. 23. It is located in sub-area three of the Seven Dials Conservation Area.

Relevant History

2011/4185/P Change of use from office (Class B1) and maisonette to three residential units (1x 3 bedroom maisonette, 1x1 bedroom maisonette and a studio flat) (Class C3) including erection of a roof extension at 4th floor, rear extension at 3rd and 4th floor and provision of roof terraces at 2nd and 5th floor levels and alterations to fenestration. Withdrawn 11/10/2011

2010/1702/P Erection of a roof extension at fourth floor level, rear staircase extension at 3rd/4th floor level and provision of roof terraces at 2nd floor and fifth floor levels, to create additional residential accommodation to the first, second and third floor maisonette (Class C3). Granted 02/06/2010

2009/5627/P Erection of a roof extension to create additional residential accommodation at fourth floor level and provision of roof terrace at fifth floor level to existing first, second and third floor residential unit (Class C3). Withdrawn

9300614 Change of use of ground and basement floors from Use Class A1 (retail) to Use Class B1 (studio office). Granted 26/08/1993

Relevant policies

LDF Core Strategy and Development Policies 2010

CS1 Distribution of growth

CS5 Managing the impact of growth and development

CS6 Providing quality homes

CS8 Promoting a successful and inclusive Camden economy

CS11 Promoting sustainable and efficient travel

CS14 Promoting high quality places and conserving our heritage

DP2 Making full use of Camden's capacity for housing

DP5 Homes of different sizes

DP6 Lifetime homes and wheelchair homes

DP13 Employment sites and premises

DP17 Walking, cycling and public transport

DP18 Parking standards and limiting the availability of car parking

DP19 Managing the impact of parking

DP24 Securing high quality design

DP25 Conserving Camden's heritage

Assessment

1 Proposal

- 1.1 The proposal is for the erection of a mansard roof extension at 4th floor, a rear extension at 3rd/4th floor, the provision of roof terraces and associated screening at 2nd and 5th floor levels, and alterations to fenestration, in association with the change of use of the building from office at ground and basement floors (Class B1) and a maisonette above to three residential units (1x 3 bedroom maisonette, 1x1 bedroom maisonette and a studio flat) (Class C3).
- 1.2 Two previous applications are relevant to this proposal. A scheme (2011/4185/P) for the same extensions to the building and a change of use to the same mix of residential units was withdrawn due to officers concerns about the loss of employment floorspace, the standard of the proposed residential accommodation in terms of light to the lower floors and the size of the proposed studio. The applicant has sought to address these issues with a statement justifying the change of use, a sunlight/daylight report assessing light to the lower floors and reconfiguring the layouts of the lower floors.
- 1.3 The application, in terms of the extensions and terraces, is almost identical to a previously approved scheme (2010/1702/P) except that scheme sought to retain the office use at ground and basement level, whereas the current scheme seeks to convert the building into three flats. This permission is still extant and does not expire until 02/06/2013. Minor changes include an additional privacy screen at second floor level, the removal of a staircase in the lightwell and replacement windows. The main issues in the determination of this application are:
- Land use
 - Design
 - Standard of proposed accommodation
 - Neighbour amenity
 - Transport
 - Community Infrastructure Levy

2 Land use

Loss of employment

- 2.1 The ground and basement floors were previously in use as offices and became vacant in December 2011. Policy DP13 requires applicants to show the possibility of retaining, reusing or redeveloping the site or building for similar or alternative business use has been fully explored over an appropriate period of time. The applicant previously submitted a statement from the commercial lettings agency EA Shaw in June 2011 exploring the options for re-letting the ground and basement floors as offices. EA Shaw considered the offices to be in poor condition and advised that the site could not be let in its current state and would require complete refurbishment. The applicant has submitted a further statement to demonstrate that the vacant office space is not suitable for a continued or alternative use. The statement refers to the constraints of the site which include a relatively small floorspace of 61sqm over two floors, and being surrounded by residential uses. It identifies the space as being in relatively poor condition which would require major renovation to be attractive to potential tenants which may not be cost effective due to current market rates.

- 2.2 It is acknowledged that there are few design features that would make the space suitable for an alternative business use as there is no lift, limited floor to ceiling heights, limited load bearing capabilities and no servicing facilities. The site is further constrained by its a single narrow entrance that is shared with the flat above, and the building itself is relatively narrow being less than 5m in width. The location is also inappropriate for an alternative business use as Macklin Street is narrow itself, and the surrounding uses include a large number of dwellings and a primary school adjacent to the site.
- 2.3 The submitted information is limited, but given the age of the building, the design, and overall floorspace, the lower floors are not considered to be suitable for any use other than office. The LDF acknowledges that the future supply of offices in the borough, particularly in Kings Cross and Euston, can meet projected demand, and that the Council will consider proposals for other uses of older premises if they involve the provision of permanent housing. In this instance, the loss of employment floorspace is considered to be acceptable and complies with policies CS8 and DP13.

New residential accommodation

- 2.4 Housing is the priority of the LDF and the provision of new residential floorspace is welcomed as long as it complies with other policies and guidance.

Housing mix

- 2.5 The proposal would provide 1x studio, 1x 1-bedroom maisonette, and 1x 3-bedroom maisonette. Given the small number of proposed units and the constraints of the building the mix is considered to be acceptable, particularly as it provides a 3-bedroom unit in a ward the LDF identifies as having a lack of family sized dwellings.

3 Design

- 3.1 As mentioned in section 1, the proposal, in terms of the alterations and extensions, is almost identical to the previously approved scheme (2010/1702/P). The proposal includes a mansard roof extension with two dormers to the front, a terrace on top of the mansard roof with railings and a glass privacy screen, an extension to the existing rear staircase, and a terrace and privacy screen at second floor level. All these elements were considered acceptable in design and amenity terms.
- 3.2 The only differences in the proposed scheme are that the access to the roof terrace has been moved from the centre of the terrace to the rear of the terrace, an additional privacy screen has been added to the rear of the second floor terrace, and an existing small staircase in the lightwell is proposed to be removed.
- 3.3 The existing building has a hipped roof, and it is proposed to replace this with a mansard to provide an additional floor. The mansard would be 700mm higher than the existing roof with two single dormer windows at the front aligning with the windows below. The site is adjacent to no. 19 Macklin Street which had a roof extension of similar height with a terrace on top, approved in 1993. As the buildings are a similar design and the proposed roof extension would result in the two buildings being a similar height, the roof extension was considered acceptable in design terms. Although the building on the other side, no. 23, is only three storeys, its floors are taller and its parapet is the same level as nos. 19 and 21.
- 3.4 A roof terrace is also proposed on top of the proposed mansard. It would be set back from the front by 2.3m with railings to the front, similar to no. 19, and a glass privacy screen at the rear. Again, this was previously considered acceptable. The only minor alteration to this is the access

rooflight has been moved slightly to the rear, but this will not be visible.

- 3.5 To the rear of the property, at third to fourth floor level, it is proposed to extend the existing stair enclosure upwards by 2 metres with a sloping roof leading up to the fourth floor roof extension. The rear of the property abuts 23 Macklin Street as well as 19 to the south west. As the proposal is to continue the existing rear extension upwards in line with the building, this part of the proposal was not considered to cause any undue harm to the character and appearance of the host property. The rear of the building cannot be seen from the public realm.
- 3.6 At first to second floor level it is proposed to use the existing flat roof as a terrace. A window would be replaced with a full length door for access, and railings would be replaced with a 1.7m opaque glass screen around the north west and south west elevations. The proposal differs slightly from the approved scheme in that the screen to the north west is additional. Due to the proposal being located against the higher boundary walls of the neighbouring property, no design issues were raised.
- 3.7 The proposed scheme also seeks to replace the existing timber sash windows with double glazed units of identical design and materials. There is no objection to double glazed units as long as the glazing bars and frames remain the same width and the windows have the same relationship with their reveals. The applicant has been unable to provide section details, but it is considered that double glazed units could be installed in the same position within the window openings as existing which would therefore not harm the appearance of the building. As such a condition will require details of the proposed windows to be submitted to and approved by the Council before they can be installed.
- 3.8 The proposal is not considered to harm the character or appearance of the host building or conservation area or the setting of the nearby listed building, and would comply with policies CS14, DP24 and DP25 of the LDF and Camden Planning Guidance. As mentioned previously, the proposal is substantially the same, in design terms, as the existing permission.
- 3.9 The proposal also shows the raising of the chimney stack of no. 23 Macklin Street so it would be above the proposed terrace. Although this was included in the previously approved scheme it does not appear to have been considered. As no. 23 is a listed building this work would require separate listed building consent and planning permission. An informative will notify the applicant of this requirement.

4 Standard of proposed accommodation

Residential development standards

- 4.1 The proposal would provide three self-contained flats: a 1-bed maisonette (2 persons) at basement and ground floor level with a floorspace of approximately 59sqm, a studio flat (1 person) at first floor level with a floorspace of 28sqm, and a 3-bed maisonette (5 persons) at second to fourth floors with 95sqm of floorspace. Camden's minimum space standards recommend 32sqm for one person, 48sqm for a two, and 85sqm for a five person unit. Primary bedrooms in the maisonettes would be approximately 12sqm, and all units would be dual aspect with regular sized and shaped rooms.
- 4.2 The previously withdrawn scheme raised concerns about the size of the studio unit and natural light to both the studio and basement/ground floor maisonette. The studio remains 28sqm, but would benefit from external amenity space in the form of the second floor terrace. The layout has also been altered with the sleeping area and bathroom being swapped around so that the sleeping area is now at the rear of the unit with better access to natural light.
- 4.3 The basement/ground floor maisonette has a basement bedroom with full length double doors

leading out into the lightwell. The staircase linking the ground and basement floors has been relocated towards the front of the building allowing for the removal of the staircase in the lightwell, this provides a larger window to the living area at ground floor level increasing the amount of daylight this room receives. The applicant has submitted a daylight/sunlight report which assesses the proposed lower floors by calculating their Average Daylight Factor (ADF). British Research Establishment (BRE) guidelines recommend a minimum of 2% ADF for kitchens, 1.5% for living rooms and 1% for bedrooms. The report indicates that the basement bedroom would achieve 1.34% and the ground floor living room 2.15%. This is in line with the guidance and suggests the rooms would receive adequate levels of daylight.

- 4.4 Policy DP26 requires development to provide facilities for the storage, recycling and disposal of waste and outdoor amenity space where practical. No area for refuse storage is proposed, and the constraints of the site make external storage difficult. An informative will remind occupiers not to put refuse sacks on the street until 30 minutes before collection. Two of the flats would have access to external amenity space at second floor and roof level, which is welcomed.

Lifetime Homes

- 4.5 Policy DP6 requires all new residential accommodation, including conversions, to meet Lifetime Homes standards. The applicant has provided a Lifetime Homes statement that indicates that the proposal will meet the criteria where possible. The proposed flats would meet the criteria for an entrance level living/bed space to each unit, door widths, and bathroom/w.c. fixings. The units would not be able to provide level access, stair lifts or adequate circulation space due to the constraints of the building, particularly its narrow width of approximately 4.5m. Policy DP6 acknowledges that conversions may not be able to meet all of the criteria due to existing physical constraints, and the proposal is considered to meet the criteria where possible.
- 4.6 On balance, taking into account the constraints of the site, the proposal is considered to provide an adequate level of amenity for future occupiers and would comply with policies CS5, DP6 and DP26 of the LDF and Camden Planning Guidance.

5 Amenity

- 5.1 Although the application proposes to build up against the existing party wall with no. 19 Macklin Street, the neighbouring property has a similar roof extension. It is therefore not considered that the additional works to the roof will cause any loss of light to neighbouring properties.
- 5.2 The erection of glazed screens around the terraces at roof level and at second floor level were previously considered to eliminate any aspects of overlooking to neighbouring properties which may occur. An additional screen to the rear of the second floor terrace is now proposed to further prevent overlooking to no. 23 Macklin Street. The screens would be 1.7m high (5 feet 7 inches) and constructed from obscure glass which is considered acceptable to prevent overlooking, particularly from the roof terrace as all windows and rooflights to no. 23 Macklin Street are at a lower level to the proposed terrace.
- 5.3 Disturbance from the use of the terrace has been mentioned, but the terraces were previously considered to be acceptable and not harmful to the amenity of adjoining occupiers. It is noted that the terrace at second floor level is relatively small measuring 2m x 1.5m.
- 5.4 The intensification of use is not considered to be harmful to neighbour amenity. The surrounding area is predominantly residential on the upper floors and the additional studio and one bedroom maisonette would provide accommodation for three additional occupiers, which is not considered to have a significant impact.
- 5.5 As such the proposal is not considered to harm the amenity of adjoining occupiers and would

comply with policies CS5 and DP26 of the LDF and Camden Planning Guidance. In terms of the terraces these were not previously considered harmful to amenity and benefit from an extant permission.

6 Transport

Cycle storage

- 6.1 The London Plan requires one storage or parking space for residential units of up to two bedrooms and two cycle parking spaces for units of three bedrooms or more. The proposal is for 3x residential units consisting of 1 three-bedroom maisonette, 1 one-bedroom maisonette and one studio flat; therefore 4 cycle storage/parking spaces would be required to comply with the London Plan.
- 6.2 The plans submitted indicate 3 cycle spaces at ground floor level. Although, 3 cycle parking spaces is considered to be adequate for a development of this nature, and would comply with Camden's own standards, the plans propose a location in the shared corridor on the ground floor which is inadequate in size (1.25m by 1.25m) and access, as these are shown as hook and hang stands, which are not considered fully accessible. However, as the correct provision would be an area of 1.8m by 2m, to accommodate 3 cycle spaces on a Sheffield this is considered an unreasonable request given the existing constraints of the site. Therefore, although the proposals do not fully meet the Council's cycle parking standards the provision of 3 storage spaces is considered acceptable in this instance. A condition will ensure the storage area is retained as such.

Construction Management Plan (CMP)

- 6.3 Due to the scale and kind of this development, and the likely method of construction, a CMP is not required in order to mitigate any adverse impacts. Any occupation of the highway, such as for hoarding, skips or storage of materials, will require a licence from Highways Management and this, along with the existing on-street waiting and loading controls, should be sufficient to ensure the work is carried out in such a way as to not adversely affecting the safety or operation of the public highway.

Car-free and Car-capped Development

- 6.4 The site has a Public Transport Accessibility Level (PTAL) of 6b (excellent) and is within a Controlled Parking Zone. Holborn & Covent Garden (CA-C) CPZ operates at all times and 108 parking permits have been issued for every 100 estimated parking bays within the zone which means that this CPZ is highly stressed. The site is also within the "Clear Zone Region", for which the whole area is considered to suffer from parking stress. Not making the development car-capped would increase demand for on-street parking in the Controlled Parking Zone (CPZ) the site is within. This is considered unacceptable in CPZ's that are highly stressed where overnight demand exceeds 90%. As such the development should be made car-free via a Section 106 Agreement. CPG7 advises that existing parking rights can normally be retained when existing occupiers are to return. The applicants have indicated they plan to return to the 3-bedroom maisonette, and therefore it is considered reasonable to allow this unit to retain its eligibility for on-street parking. The other units will be required to be car-free as part of a Section 106 Agreement.

7 Sustainability

- 7.1 Policies CS13 and DP22 require all development to take measures to minimise the effects of, and adapt to, climate change. Schemes must demonstrate how sustainable development principles have been incorporated into the design and proposed implementation; and

incorporate green or brown roofs and green walls wherever suitable.

- 7.2 The applicant has indicated that draught seals will be fitted or replaced to the external doors. Single glazed windows will be replaced with double glazing, and high efficiency boilers will be installed. The roof and all new walls will also be insulated to comply with Part L of the Building Regulations. As the proposal would result in a net increase of two residential units, there is no requirement to meet EcoHomes/BREEAM standards, and the proposed measures are considered to be adequate.

8 Community Infrastructure Levy

- 8.1 The development would be CIL liable because it involves the creation of two additional residential units. As the office floorspace is existing, the contribution will only be liable for the net increase in floorspace from the additional storey. Based on the Mayor's CIL charging schedule and the information given on the plans, the charge is likely to be £1,650 (33sqm x £50). This will be collected by Camden after the scheme is implemented and could be subject to surcharges for failure to assume liability, for failure to submit a commencement notice and/or for late payment, and subject to indexation in line with the construction costs index. An informative will be attached advising the applicant of this charge.

- 9 Recommendation:** Grant Planning Permission Subject to a Section 106 Agreement for car-free housing

DISCLAIMER

Decision route to be decided by nominated members on Monday 5th November 2012.
For further information please click [here](#).