

Delegated Report		Analysis sheet	Expiry Date:	13/08/2012
		N/A	Consultation Expiry Date:	09/08/12
Officer			Application Number(s)	
Adrian Malcolm			2012/0871/P & 2012/0966/L	
Application Address			Drawing Numbers	
Lower ground floor 131 Drummond Street London NW1 2HL			Site Location Plan; Drawing No(s) (Prefix)1201/03, 11, 04, 12, 09, 19, 03	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Change of use of part of lower-ground floor from a yoga studio/cafe to a studio flat (Class C3) erection of a front extension at basement level to provide a lobby to the proposed flat and internal alterations at lower ground and ground floor level.				
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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						
Adjoining Occupiers:	No. notified	12	No. of responses	00	No. of objections	00
			No. electronic	00		
Summary of consultation responses:	Site Notice expiry: 2/8/12 Press Notice expiry: 9/8/12					
CAAC/Local groups comments:	None					

Site Description

The application premises is a grade II listed building dating from the early 19th Century. The ground floor is used as a residential maisonette, while the ground floor is used as a café (with, according to the applicant, occasional ancillary use of some rooms by a yoga group). The rear of the plot has been infilled by a ground floor and basement extension. The kitchen to the case is at the rear of the basement. It is understood that front part that forms the area for the proposed flat was formerly used for seating for the café, but trade has not been as strong recently and the space has been underused for other ancillary purposes and occasional ancillary use by a yoga group, according to the applicant.

There is a lightwell with an existing iron staircase to street level at the front of the basement.

The site is situated on a local shopping parade on Drummond St. Some of the neighbouring premises in the parade have basement lightwells with basements in commercial use. There are some residential premises with basement lightwells in the vicinity, such as no 116 directly opposite, which is a single dwellinghouse with ancillary basement rooms.

The listing description for the property reads as follows:

Terraced house and shop. c1820-25. Yellow stock brick with later patching. 3 storeys and basement. 2 windows. Wooden shopfront with simplified, reeded pilasters carrying entablature with reeded architrave, inswept frieze and projecting cornice. Shop window with reeded frame, arched lights and band of diamond tracery below the entablature. Part-glazed shop door; house doorway with fanlight and panelled door. Gauged brick flat arches to recessed sashes on upper floors. Parapet. INTERIOR: not inspected. SUBSIDIARY FEATURES: attached iron railings to area.

Relevant History

April 1987- Planning permission and listed building consent granted for rear extension at basement and ground floors and associated works in connection with use as a cafe and wine bar including the formation of a new front basement access (Refs: 8601379 & 8670308).

October 1984- Planning permission granted for change of use of ground floor and basement from shop to snack bar and wine bar (Ref: 8401175).#

August 1982- Planning permission granted for use of the basement for residential purposes, in connection with the maisonette on the upper floors (Ref: 34198). *N.B. The planning application form in 1984 indicates that the ground floor and basement was vacant and last used as a hairdressing salon, thus this consent may not have been taken up.*

February 1982- Planning permission granted for erection of a single storey rear extension of dimensions at basement level (Ref: HB2744).

April 1981- Listed Building Consent granted for internal alterations at first floor level to provide kitchen and toilet facilities to the maisonette on the upper floors, together with the replacement of the windows on the first floor (Ref: HB2609)

December 1980- Planning permission refused for change of use of the ground floor and basement premises from retail to the preparation and sale of take-away foods with sitting accommodation (snack bar) (Ref: 31359)

Relevant policies

LDF Core Strategy and Development Policies

Core Strategy

CS1 (Distribution of Growth)
CS3 (Other Highly Accessible Areas)
CS5 (Managing the Impact of Growth and Development)
CS6 (Providing Quality Homes)
CS9 (Achieving a Successful Central London)
CS11 (Promoting sustainable and efficient travel)
CS13 (Tackling climate change through promoting higher environmental standards)
CS14 (Promoting High Quality Places and Conserving Our Heritage)
CS17 (Making Camden a Safer Place)
CS18 (Dealing with Our Waste and Encouraging Recycling)

Development Policies

DP2 (Making Use of Camden's Capacity for Housing)
DP5 (Homes of Different Sizes)
DP6 (Lifetime Homes and Wheelchair Homes)
DP10 (Helping and promoting small and independent shops)
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)
DP26 (Managing the Impact of Development on Occupiers and Neighbours)
DP29 (Improving Access)

Camden Planning Guidance (CPG)- especially 2 Housing, 6 Amenity, 7 Transport and 8 Planning Obligations

London Plan 2011 and Supplementary Planning Guidance (especially re SPG and draft SPG on Housing)

National Planning Policy Framework

Assessment

Proposals

The proposals involve the change of use of part of lower-ground floor to a studio flat and erection of a front extension at basement level to provide a lobby to the proposed flat plus internal alterations at lower ground and ground floor level.

Considerations:

Impact upon the listed building

The proposed works involve the removal of timber stairs to accommodate a bathroom, the introduction of new steps to a store at the rear and the creation of a lobby to the front entrance.

No. 131 is Listed Grade II. The interior of the building is covered by the listing even though the listing description is of the shop front and the interior was not inspected.

There is no objection to the principle of the proposed change of use on listed building grounds, as such.

The proposed creation of a basement entrance lobby to the front is in principal acceptable. Details of the proposed door would be needed by condition.

The proposed removal of the stairs and the associated loss of joinery is considered unacceptable. The stairs and match boarding appear to be of historic interest and they are sited in the original stair position. The removal of the stair is considered to harm the original floor plan and to compromise the spatial character of the back room. As such this part of the proposal is unacceptable and the application for listed building consent is recommended for refusal.

Loss of café floorspace and the principle of use for residential

The proposed use would not result in the loss of the café, nor compromise its viability in terms of remaining floorspace, indeed the applicant suggests the space concerned is currently underused (the positioning of the only window just below the front of the premises and close to the entrance is considered below), thus it is considered the proposal would not conflict with Policy DP10.

There is strong demand for housing in the borough and housing is the priority use of the LDF in order to optimise supply, although under Policy DP5 the dwelling size priorities table places a low priority on the provision of studio and 1 bedroom private accommodation. The *principle* of the space being used as residential is acceptable (not necessarily as an entire unit on its own), however it is important that the *quality* of accommodation is acceptable.

Acceptability of the quality of the proposed accommodation.

The design and access statement mentions that the layout is 32 sqm, with a living room of 14 sqm and a bedroom of 9.5 sqm, providing a habitable area of only 23.5sqm. However, the plans have been measured at slightly less than 27 sqm, plus a store next to the lobby and beneath the pavement of just over 2.5sqm. It is not indicated on the plans how the flat might be arranged (a very modest area is indicated for a galley kitchen) however the wc/shower would be unworkably narrow at only 0.65m wide with practically no space for manoeuvring. Camden Planning Guidance provides a minimum floorspace of 32sqm and the plans do not demonstrate that this has been met.

The flat's only window be directly next to a pavement on a vibrant local shopping parade, close to the entrance to the café and would have the commercial areas to two hot food café/restaurants on either side. It is appreciated that sound insulation could be installed to reduce noise nuisance from neighbouring uses, but this situation is less than ideal in terms of privacy, outlook and amenity. The current floor finish is proposed to be removed in order to achieve a 2m floor to ceiling clearance and

the window and lights to the doorway would provide some natural ventilation in addition to a modest amount of mechanical ventilation in the shower room (Camden Planning Guidance, or CPG, 2 requires at least 1/20 of the floor of a room must be able to be opened to provide natural ventilation and favours passive ventilation where possible over mechanical ventilation). These issues are not ideal, but are not ultimately considered to be issues in themselves that warrant reason to object to the application.

The situation in terms of light is of more concern. There would only be a single external window to the room. The window aperture has been measured on site to be 1.92m which would be less than one tenth of the floorspace (even discounting the window frame) and, although a 30 degree line is maintained to the top of the lightwell, the lightwell has an external staircase that partly obscures light to the window still further (CPG2, para 4.26 indicates that windows to basements should not be obstructed by structures within 3m). Also, this window is north facing, thus no direct sunlight would enter the lightwell or flat and serves a habitable room that would be between 5.8–7m deep. The applicant points out that there would also be an internal glazed door that leads to an entrance lobby that would have a half glazed door and small side light at a perpendicular angle, however as this limited source of light is not via an external window to the room this is not included in the calculation according to Camden Planning Guidance, or CPG, 2 (Housing) paragraph 4.23. This low level of light was apparent during the site visit, particularly at the rear of the area. Discussions with the agent revealed that it is unlikely to be feasible to introduce any other source of natural light at the rear of the proposed dwelling, due to the existence of a rear extension at ground floor level at the rear and the space needs of the café above and at the rear. The flat would therefore constantly be dependant upon artificial light and its orientation would not benefit from passive solar energy and would require additional heating as a result.

The proposal would compare poorly with the space standards set out in CPG2 which set out in paragraph 4.23: the need for at least one habitable room to have at least one habitable room with a window facing within 30 degrees of south; windows on north facing walls to be sized to prevent heat loss but allow sufficient daylight; all habitable rooms (including basements) must have an external window with an area of at least 1/10 of the floor area of the room.

It is concluded that this proposed dwelling would although it not be ideally positioned in terms of its privacy, outlook and amenity (as discussed above), it would be the unacceptably poor levels of natural light, north-facing aspect and insufficient floorspace that would cause the proposal to provide an unacceptable standard of permanent Class C3 residential accommodation.

Lifetime Homes

The Council expects all residential accommodation to meet Lifetime Homes standards, in accordance with Policy DP6. It is appreciated that, as with many conversions, there would need to be a degree of flexibility used as it is not always feasible to meet all 16 criteria in respects of conversion of an existing building. However, the applicant has not submitted any Lifetimes Homes assessment and the layout suggests that aspects of the poor layout (e.g. the very cramped w.c./shower proposed) would not be capable of adaption to meet such standards. This is unacceptable.

Transport Implications

It is recognised the applicant would be willing to enter into a legal agreement for the proposed flat to be car free, in order to prevent adding to local streetside parking stress and use of unsustainable transport modes in a location very well served by public transport. In the absence of a S106, however this constitutes a reason for refusal.

The proposed cycle hook suggested to be mounted in the lobby would represent an obstruction and a poor method of storage that does not meet CPG 7 standards (section 9), however it does appear it would be possible to park a cycle in the adjacent store, thus this is a matter that could be resolved by condition in the event of a recommendation for planning permission.

Community Infrastructure Levy:

The proposal will be liable for the Mayor of London's CIL as the additional floorspace exceeds proposes new dwellings. Based on the Mayor's CIL charging schedule and the information given on the plans, the charge is likely to be £1,500 (30sqm 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.

Recommendation: Refuse Planning Permission and Listed Building Consent

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