

Delegated Report		Analysis sheet		Expiry Date:	20/12/2011
		N/A / attached		Consultation Expiry Date:	a) 14/12/11 b) 01/12/11
Officer			Application Number(s)		
Jonathan Markwell			a) 2011/5016/P b) 2011/5020/L		
Application Address			Drawing Numbers		
28 Museum Street London WC1A 1LH			Please see decision notices		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
a) Change of use of the 1st to 3rd floors from offices (Class B1) to 1x4 bed maisonette (Class C3), replacement of a window with door to the rear elevation in association with the installation of new balustrade and planters to form an external terrace at rear 1st floor level, the use of existing flat roof as roof terrace with associated works and alterations to fenestration on front and rear elevations. b) Change of use of the 1st to 3rd floors from offices (Class B1) to 1x4 bed maisonette (Class C3), the relocation of existing stairs to the rear of the building, replacement of a window with door to the rear elevation in association with the installation of new balustrade and planters to form an external terrace at rear 1st floor level, the use of existing flat roof as roof terrace with associated works and alterations to fenestration on front and rear elevations and associated internal alterations.					
Recommendation(s):		a) Refuse Planning Permission b) Refuse Listed Building Consent			
Application Type:		a) Full Planning Permission b) Listed Building Consent			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	16	No. of responses	01	No. of objections	01
			No. electronic	01		
Summary of consultation responses:	<p>A site notice was erected on 02/11/2011, expiring on 23/11/2011. A press notice was published on 10/11/2011, expiring on 01/12/2011. One objection was received from the leaseholders/tenants of the Ground floor and basement at 28 Museum Street, where a coffee shop/pancake shop operates. A summary of the issues raised are as follows:</p> <ol style="list-style-type: none"> 1. Our fire exit from is via the entrance hall and front door to the upper parts. The proposed alterations would cause this emergency exit/means of escape to be blocked or impeded. 2. The extraction system on the flat roof allows us natural ventilation at the back of the shop and needs to remain there. 3. There is no acceptable area outside the building to place a wheelie bin for domestic waste collection. 4. The plans do show a waste storage area within the building but there is no indication of any ventilation system for that area. As a three or four bedroom maisonette is proposed there needs to be adequate ventilated storage areas for domestic waste produced by anything up to 8 people. 5. Any major alterations to the building would cause disruption to our trading. 6. There is no acceptable location for skips etc on or around the Piazza and rubble and building materials must not be stored in our fire exit (see point 1 above). 					
CAAC/Local groups* comments: <small>*Please Specify</small>	Bloomsbury CAAC has denoted an objection/comment stating "unable to comment due to lack of drawings!!".					
Site Description						
<p>The building is Grade II listed and is located within the Bloomsbury Conservation Area. It dates from 1855-64 and forms part of a wider group of 7 terraced listed houses on the west side of Museum Street. It is 4 storeys high plus basement, 3 bays wide and has a stucco façade decorated with embellishments including moulded window surrounds, dentilled cornices, architraved oculi and quoins. The interior retains many of its the original features including staircase, doors to lower levels, joinery and plasterwork. The upper floor has been modernised. The layout is almost in its original form. At present the basement and ground floor is in active use as a café/pancake shop, with the upper floors being vacant having most recently been in office use (Class B1).</p> <p>It is also located within the Central London Area, a clear zone area, an archaeological priority area, land identified as being potentially contaminated and a specialist shopping area (Museum Street Local Area). The surrounding area is a mix of retail, restaurant and café, public house, commercial and residential properties, with buildings of similar height and style to that of the application site. The residential uses are predominantly at upper floor level.</p>						
Relevant History						
None in relation to the part of the application site where the works are proposed.						

Relevant policies

LDF Core Strategy and Development Policies

- CS1 Distribution of growth
- CS3 Other highly accessible areas
- CS5 Managing the impact of growth and development
- CS6 Providing quality homes
- CS7 Promoting Camden's centres and shops
- CS8 Promoting a successful and inclusive Camden economy
- 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
- CS15 Protecting and improving our parks and open spaces & encouraging biodiversity
- CS18 Dealing with our waste and encouraging recycling
- CS19 Delivering and monitoring the Core Strategy

- DP2 Making full use of Camden's capacity for housing
- DP6 Lifetime homes and wheelchair homes
- DP12 Supporting strong centres and managing the impact of food, drink, entertainment and other town centre uses
- DP13 Employment sites and premises
- DP16 The transport implications of development
- DP17 Walking, cycling and public transport
- DP18 Parking standards and the availability of car parking
- DP20 Movement of goods and materials
- DP22 Promoting sustainable design and construction
- DP24 Securing high quality design
- DP25 Conserving Camden's heritage
- DP26 Managing the impact of development on occupiers and neighbours
- DP28 Noise and vibration

Camden Planning Guidance 2011

Bloomsbury Conservation Area Appraisal and Management Strategy 2011

Revised Planning Guidance for Central London: Food, Drink and Entertainment, Specialist and Retail Uses. Adopted 4 October 2007.

PPS5

English Heritage 'London Terrace Houses 1660-1860'

The London Plan 2011

Assessment

Introduction

Planning permission and listed building consent is sought for the change of use of the 1st to 3rd floors from offices (Class B1) to 1 x 4bed maisonette (Class C3), the internal relocation of existing stairs to the rear of the building, the replacement of a window with door to the rear elevation and the installation of new balustrade and planters to form a roof terrace at rear 1st floor level, the use of existing flat roof as roof terrace (again with associated balustrades and planters) and alterations to the fenestration on the front and rear elevations.

Inaccuracies / Inconsistencies / Lack of information on plans

The submitted drawings include a number of omissions/inaccuracies/inconsistencies which make a full assessment of the proposals impossible. The three primary areas of concern are as follows:

- the roof level handrail towards the front (north-east) elevation is shown on the proposed section plan to be adjacent to the front parapet; on the proposed floor plan it appears to be set back from the parapet.
- On the rear elevation at first floor level the existing flue is said to be re-routed from its current position. However no details in this respect have been provided.
- An internal door (understood to be a fire door) between the basement/ground floor unit and entrance hall at ground floor level (as seen during the officer site visit) is not shown at present on the existing or proposed plans.

As a result a reason for the refusal of the applications will be owing to these omissions / inaccuracies / inconsistencies being likely to be detrimental to the character of the host building, streetscene and the character and appearance of this part of Bloomsbury Conservation Area (as it is not possible to assess the visual impact of the proposed handrail), cause harm to the amenity of neighbouring and nearby occupiers (owing to the lack of clarity over the replacement flues) and cause harm to the function of the basement and ground floor operations, (owing to the lack of clarity over the replacement flues / internal door), which is therefore without this information contrary to (in respect of the planning permission) policies CS5 (Managing the impact of growth and development), CS7 (Promoting Camden's centres and shops) and CS14 (Promoting high quality places and conserving our heritage) of the London Borough of Camden Local Development Framework Core Strategy and policies DP12 (Supporting strong centres and managing the impact of food, drink, entertainment and other town centre uses), DP24 (Securing high quality design), DP25 (Conserving Camden's heritage), DP26 (Managing the impact of growth and development on occupiers and neighbours) and DP28 (Noise and vibration) of the London Borough of Camden Local Development Framework Development Policies and (in relation to the listed building consent solely policies CS14 and DP25).

Officers raised these concerns with the agent of the applicant during the course of the application (in writing via email on 29/11/2011) but no plans overcoming these concerns were submitted for consideration prior to the determination of the application.

Land use matters

The proposal involves the change of use of the upper three floors from office to one residential unit. In terms of the office accommodation the applicant has provided commentary in respect of the unit being vacant since October 2010 (14 months) and commentary outlining why the premises is no longer suitable for continued business use (conditions, listed nature, incompatibility with other business uses) and a schedule of other nearby premises being available in the local area. On balance the level of information is considered to be sufficient to justify the principle of the loss of office accommodation at the site in line with CS8 and DP13.

Turning to the proposed use, housing is the priority land use of the LDF and will lead to an increase in the housing stock in the borough. Thus the principle of development is considered to be established.

Quality of accommodation

The proposed four bed unit complies with the minimum room size and overall flat size standards of the LDF and London Plan 2011. As such it is acknowledged that the proposed accommodation would create a suitable standard of accommodation for future occupiers.

In terms of lifetime homes a statement has been submitted, indicating that some of the standards will be met. The listed nature of the building means it is not possible for all standards to be met, which is acknowledged. If the scheme had have been considered appropriate the lifetime home features proposed would have been secured via condition.

The proposals show an area for cycle storage and waste storage at ground floor level. This is welcomed in principle, although if the scheme had have been considered appropriate further (more precise details) would have been secured via condition.

Design / listed building

To provide context, the significance of the building is considered to be as follows: Georgian London terraced houses comprise certain aspects common to all which make up their special interest. The degree to which these survive is an indication of their significance.

PPS5 Practice Guide notes:

142. Each heritage asset and group of heritage assets has its own characteristics that are usually related to an original or subsequent function. These can include orientation, layout, plan-form, setting, materials, the disposition of openings, external detailing (with larger assets of groups of assets this might include street furniture) and internal fittings.

182. The plan form of a building is frequently one of its most important characteristics and internal partitions, staircases (whether decorated or plain, principal or secondary) and other features are likely to form part of its significance. Indeed they may be its most significant feature. Proposals to remove or modify internal arrangements, including the insertion of new openings or extension underground, will be subject to the same considerations of impact on significance (particularly architectural interest) as for externally visible alterations.

English Heritage 'London Terrace Houses 1660-1860' states

P.11 The domestic plan form of London terrace houses is an important part of their character and special interest. As a general rule the character, proportion, and integrity of the principal rooms at ground and first floor levels, together with the primary and secondary staircase compartments should be preserved. Normally such areas should not be subdivided.

With this context in mind the proposals have been duly considered. Based on the plans submitted the proposals would have the following impact on the building's significance:

Ground Floor

- No internal changes proposed (barring the possible alteration with the door to the basement/ground floor unit – this is not shown on the plans submitted – see inaccuracies section above).

Front

- The proposed front door is a 20th Century replica. If it is to be replaced it is considered that should match the existing adjoining original door to enhance the special interest of the listed building; the current proposal is therefore not appropriate in this respect.

First Floor

- The removal of the staircase is considered to be unacceptable on the grounds of loss of historic fabric and loss of historic plan form. No justification for the loss and repositioning of the original staircase has been submitted.
- The removal of the window at the rear and its replacement with French doors would only be considered where the window was not original and the insertion of doors would not harm the character and appearance of the wider terrace. The proposed first floor French door would result in the loss of the original window and timber spandrel panel. Notwithstanding this the design of the French door is not considered to be in-keeping with the age and style of the building, thereby causing harm in this regard.
- The proposal would result in the loss of the original door/architraves at this level.
- The proposed suspended ceilings to conceal pipe work from the floor above are considered to unduly impact upon the features and proportions of the rear room.

Second Floor

- Similar to the first floor the removal of the staircase would be unacceptable on the grounds of loss of historic fabric and plan form.
- Like at first floor level, the proposed suspended ceilings to conceal pipe work from the floor above are considered to unduly impact upon the features and proportions of the rear room.

Third Floor Level

- Like the first and second floors the removal of the staircase would be unacceptable on the grounds of loss of historic fabric and plan form.
- Similar to the first and second floors the proposed suspended ceilings to conceal pipe work from the floor above would unduly impact upon the features and proportions of the rear room
- In addition the location of the new third floor partition is considered to unduly impact upon the chimney breast in the front room, harming the spatial quality and form of the room.

The agent of the applicant has been advised that the objections outlined above can be overcome but this would require a redesign of the proposed internal layout including the retention of the existing staircase and the repositioning of partitions and servicing. At the present point in time the proposed refurbishment by reason of the loss of historic fabric, impact on plan form, proportions and decorative features and detailed design, would be detrimental to the special architectural and historic interest of the grade II listed building contrary to policies CS14 and DP25.

Amenity

In terms of the overlooking / outlook / sunlight and daylight and noise and disturbance matters, it is considered unlikely that the known proposals would lead to such a detrimental impact on neighbouring amenity to result in the refusal of the application. In relation to the first floor terrace, although there are some nearby windows on adjacent properties the officer site visit showed that none of these appeared to serve habitable residential windows. Thus no objections are raised in these regards to the first floor terrace. In relation to the roof terrace it was not possible to gain access to the existing terrace during the officer site visit. However based on aerial photographs and those provided by the agent, it is unlikely that any significant amenity impact is envisaged.

Notwithstanding the above, as noted in the inaccuracies section above, concerns are raised in relation to the relocated flue (location unknown) and the possibility that this may impact on the amenity of future occupiers of the proposed residential unit and/or neighbouring and nearby occupiers. The lack of information (and subsequent acoustic report identifying the existing and predicted noise levels) provided means an assessment in this respect is unable to be made.

Transport

There is no vehicular access within the site and access to public transport is classified as excellent (PTAL 6b). Museum Street is also located in the Clear Zone Region, meaning the whole surrounding area is considered to suffer from parking stress. Furthermore, the site is located within a Controlled Parking Zone (CPZ), where parking stress levels in 2007 were 1.44:1, significantly above the 0.9:1 threshold where car-free housing is sought. Given this context the residential unit sought to be

created is required to be made car-free. If this requirement is not implemented the development would increase demand for on-street parking in the CPZ. The car-free element of the development cannot be secured via condition as such parking would take place outside of the red-line of the application site and would thus be secured via a Section 106 Legal Agreement. Given that the scheme is considered to be unacceptable in other aspects, this constitutes a further reason for refusal. An informative is however recommended to be added to the decision notice denoting that this reason for refusal could be overcome, in the context of a scheme acceptable in all other respects, by entering into a legal agreement with the Council. This reason for refusal is therefore without prejudice to any future application or appeal at the site.

Other matters

As outlined in the inaccuracies section above, the removal of the existing flue (and given the uncertainty over the replacement) it could be that this would negatively impact on the function of the basement and ground floor occupier of the building, a café and pancake shop. This would be contrary to CS7 and DP12.

Recommendation

Refuse Planning Permission / Refuse Listed Building Consent

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