

Delegated Report		Analysis sheet		Expiry Date:		11/11/2010	
		N/A / attached		Consultation Expiry Date:		A) 18/10/10 B) 13/10/10	
Officer				Application Number(s)			
Jonathan Markwell				A) 2010/4982/P B) 2010/4985/L			
Application Address				Drawing Numbers			
93 Judd Street London WC1H 9NE				Please see decision notices			
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature				
Proposal(s)							
<p>A) Change of use of bedsit HMO accommodation (Sui Generis) at part ground to third floor level to 4x1 bed self-contained residential units (Class C3), including reconfiguration of existing rear outbuilding at ground floor level into habitable accommodation and associated alterations.</p> <p>B) External and internal alterations in association with change of use of bedsit HMO accommodation (Sui Generis) at part ground to third floor level to 4x1 bed self-contained residential units (Class C3), including reconfiguration of existing rear outbuilding at ground floor level into habitable accommodation, provision of new bathrooms at upper ground to third floors, replacement internal doors and installation of rooflight.</p>							
Recommendation(s):		<p>A) Grant Planning Permission subject to a S106 Legal Agreement</p> <p>B) Grant Listed Building Consent</p>					
Application Type:		<p>A) Full Planning Permission</p> <p>B) Listed Building Consent</p>					
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:		No. notified	21	No. of responses	01	No. of objections	00
				No. electronic	01		
Summary of consultation responses:		<p>Site notices were erected on 22/09/2010, expiring on 13/10/2010. One comment was received from an occupier at 11 Thanet Street, who stated "My only comment, or request, is that if the Council is minded to approve this application, it be explicitly conditional on the flat roof remaining such, and that any 'ad hoc' use as a roof terrace be a contravention of the consent, if that is possible. I am fearful that by stealth, it becomes a nuisance".</p> <p>Officer response: This is not proposed by this application; a separate application would be required should this be sought in the future. It is not considered necessary for this to be secured via condition as there is no formal access to this area at present or as proposed.</p>					
CAAC/Local groups* comments: *Please Specify		Bloomsbury CAAC was formally consulted but no response has been received to date.					

Site Description

The application site building is Grade II listed and part of a terrace of 9 houses with shops at ground floor level, c1816 by James Burton. The building is four storeys plus basement, in stock brick with gauged brick flat arches to recessed sashes and attached cast-iron railings. No.93 has an earlier-mid 19th century shopfront with dentil cornice and right hand enriched console, projecting shop window with segmental-arched lights and large panes. To the rear the building has an original closet wing (basement, ground and upper ground floors only) and a modern rear outbuilding (current uninhabitable). Inside the building has been unsympathetically adapted to form individual bedsit units (two units per floor), with crudely inserted bathroom / kitchen facilities in each. However despite these moderations the plan form is still considered to be legible and indeed while fireplaces have been removed, many skirtings, door architraves and all cornices from ground to top floor remain, albeit in a poor state of repair, along with original floorboards and some lath and plaster walls and original panelling in the ground floor hallway. The building retains much of its Georgian character, with some original glass, shutters and many original window frames and architraves.

The condition of the building as a whole is poor. The bedsit units are vacant, uninhabitable and considered to be in an extremely poor state of repair. The building is included on the English Heritage *Buildings at Risk* Register; noted as being "in a poor and deteriorating condition, with reports of significant structural cracks to the rear elevation". It is listed on the Register as category C (Slow decay; no solution agreed). However having undertaken a number of site visits in the past eighteen months, it is considered from a conservation and urban design perspective that this rating should in effect be increased to A (immediate risk of further rapid deterioration or loss of fabric; no solution agreed.) if action is not taken in the immediate future. The property is deteriorating due to both water ingress and structural movement. The structural movement is probably a result of unauthorised / poor quality alterations to partitions, spine walls and staircases, resulting in distorted floors, and ceilings in a poor state of repair. Cracks in the render to the rear and the covering of the roof in a bituminous material compound the problem of trapped moisture/water ingress. It is considered that a solution needs to be agreed in the near future to secure both the surviving the historic fabric and a sustainable future for the building.

The property has been adapted, probably in the mid-20th century, to be used as House in Multiple Occupancy (HMO) accommodation, with a self-contained basement flat accessed from the front basement steps. Listed building consent was granted for internal alterations to provide kitchens and baths to existing bedsitting rooms on first, second and third floors, rebuilding of existing ground floor rear extension, rendering of rear elevation and provision of enlarged windows at rear of the basement in 1985 (see relevant history below).

The application site is also located within Bloomsbury Conservation Area, the Central London Area, the King's Cross Neighbourhood Renewal area and a Clear Zone Area.

Relevant History

8470331 - Internal alterations to provide kitchens and baths to existing bedsitting rooms on first second and third floors rebuilding of existing ground floor rear extension rendering of rear elevation and provision of enlarged windows at rear of the basement. Granted Listed Building Consent 14/12/1984.

2009/4687/L - Internal alterations at basement flat (Class C3) including removal of partitions, insulation between ground floor joists and installation of new kitchen and bathroom. Granted 08/10/2009.

2010/1464/L and 2010/1469/P - Extension of the existing residential flat (Class C3) at ground floor level into an existing rear outbuilding, and the conversion of 7 existing bedsits into self contained studio flats (Class C3), along with associated internal and external alterations. Withdrawn prior to a decision being made 26/05/2010.

Relevant policies

LDF Core Strategy and Development Policies

CS1 – Distribution of growth
CS5 – Managing the impact of growth and development
CS6 – Providing quality homes
CS11 – Promoting sustainable and efficient travel
CS14 – Promoting high quality spaces and conserving our heritage
CS19 – Delivering and monitoring the Core Strategy
DP2 – Making full use of Camden's capacity for housing
DP5 – Homes of different sizes
DP6 – Lifetime homes and wheelchair homes
DP9 – Student housing, bedsits and other housing with shared facilities
DP16 – The transport implications of development
DP17 – Walking, cycling and public transport
DP18 – Parking standards and limiting the availability of car parking
DP19 – Managing the impact of parking
DP21 – Development connecting to the highway network
DP24 – Securing high quality design
DP25 – Conserving Camden's heritage
DP26 – Managing the impact of development on occupiers and neighbours
DP29 – Improving access

Bloomsbury Conservation Area Statement (Draft)

Camden Planning Guidance 2006

PPS5 - Planning for the Historic Environment (Published: 23rd March 2010)

Assessment

Introduction

Planning permission is sought for the change of use of 8 rooms of bedsit HMO accommodation (Sui Generis) at part ground to third floor level to 4x1 bed self-contained residential units (Class C3). In association with this change of use, the present outbuilding adjoining the rear return of the property and only accessed externally will be linked to the main building, with new access possible only internally at this point.

A plethora of internal/external alterations are also proposed, including the provision of new bathrooms to each of the proposed residential units, a toilet to the ground floor shop unit, an internal staircase to link the ground and upper ground floors of the rear return of the building, replacement internal doors and other extensive works including new internal partitions, floor strengthening and insulation between flats, fire proofing (use of intumescent paint), new joinery (external basement and ground floor doors to external lightwells), the provision of a metal balustrade to the existing rear lightwell and a conservation area style rooflight to replace a small dormer window at roof level and various other minor alterations.

The property changed hands in 2007/8 and the new owners wish to bring the property back into use, adapting HMO units into self-contained units and retaining the basement flat, undertaking sensitive repairs to the structure and upgrading the property in terms of heat and noise insulation.

During the course of the application some details of the internal layout have been revised. The proposed bathrooms at first to third floor level have been repositioned to a more central location and the proposed six-panel internal doors constructed from wood fibre and MDF have been revised as solid timber six-panel doors.

Land use issues

The existing lawful use of the building, based on the planning history, is as bedsit HMO units in the main, with a shop unit at the front part of the ground floor and a separate basement flat. As already noted, the HMO accommodation has been vacant for a number of years, is in a state of disrepair and in need of urgent updating, being on English Heritage's Buildings at Risk register for a number of

years. The proposal is to change the use of this part of the building to form four self-contained residential units. Policy DP9 has a general presumption against the loss of bedsit rooms to self-containment. There are however some instances where this can be justified in policy terms, including that the accommodation is incapable of meeting HMO standards and incapable of being used as housing with shared facilities. It has been demonstrated that the units are not capable of meeting HMO standards without causing significant harm to the setting of the listed building. Discussions have taken place regarding the proposed units being brought forward as affordable housing units; however it is considered that it would be difficult to attract a housing association to take on the provision of only four units in a single stand-alone site and receive grant funding at the present time. This is also likely to bring further complications over a legal agreement at a time when the building is on the At Risk Register and is considered to be in urgent need of improvement and bringing back into use.

In such special circumstances it is considered that the approach outlined in paragraph 9.20 of the LDF can be followed. This states that where it can be demonstrated that accommodation with shared facilities is incapable of meeting the minimum standards for HMO's, the Council will expect its development for self-contained general needs housing. The flexible use of this policy in this instance is considered to be justified owing to the over-riding needs of returning an at-risk listed building back into use. Although other uses would have been preferred, these are not considered to be feasible in this instance and therefore the provision of self-contained accommodation is generally welcomed by policies CS6 and DP2. In addition, it is also relevant to note that if the application were to be refused, it is likely to remain at risk and suffer further neglect, which would in-turn reduce the likelihood of the listed building returning to use. Thus a balanced decision must be made and hence it is considered that the proposals are suitable in land use terms.

Quality of accommodation

With regard to the quality of the residential accommodation proposed, each unit complies with the minimum flat and bedroom sizes outlined in CPG (being above 32m² for a one-person unit and including bedrooms 11m² or more in size). During the course of the application the position of the bathrooms at first, second and third floor has been amended to overcome listed building concerns. This has resulted in the size of the bedrooms in themselves falling below 11m² in these units. However, given the bathrooms are accessed from the bedrooms, they are effectively en-suites and thereby can be included in the bedroom size calculation. With this in mind, all bedrooms are compliant with guidelines in terms of size. Moreover, all rooms are regular in size and shape, with adequate outlook, circulation and turning space and natural ventilation. At first to third floor level all bedrooms are positioned towards the rear of the original building, with bathrooms in the middle and living/dining/kitchen rooms at the front. This arrangement is considered to be appropriate and will minimise noise disturbance between the floors of the building. The rear ground floor / upper ground floor unit is a maisonette with the bedroom at upper ground floor level. This is considered to be adequate as a two-person, one-bedroom unit, with the first to third floor units being one-person, one bedroom units. It is considered that each of the units is of an appropriate standard for future occupiers.

In terms of mix of units, it is acknowledged that the provision of 4x1 bed units does not comply with the dwelling size priorities table outlined in policy DP5. However, given the aforementioned context of the application site building, it is considered that in this particular case the provision of a separate unit on each of the upper floors is the most appropriate solution in listed building terms (as the layouts will have a minimal impact on the existing floor plans, such as less servicing requirements, and are thus sympathetic to the special interest of the listed building) and will assist in getting the building back into active use. In addition, there is an element of mix as the ground/upper ground unit is larger than the first to third floor units and is considered adequate as a two-person, one-bedroom unit, as opposed to the other one-person, one-bedroom units. In this particular instance the provision of one-bed units is considered, on balance, to be appropriate.

With regard to lifetime homes standards, it is shown that a number of the standards will be able to be met in the proposed scheme. However, given the listed nature of the application site building, this presents a considerable constraint on the number of standards which can be adhered to in practice. This is acknowledged and accepted in this instance. Notwithstanding this, an informative is

recommended to be added to any permission, encouraging the applicant to implement as many lifetime homes standards as possible when implementing the scheme.

In relation to the quality of the shop unit space at ground floor level, this will not be harmed and in-fact it is considered it will be improved as it is proposed to install toilet facilities within the unit, which are not presently available. This will not impact significantly on the floor area of the unit able to be used and thus no concerns are envisaged in this regard.

Design

In terms of design, the applicant has been in long term discussions with the Council's Conservation and Urban Design team prior to the submission of this application. Advice has also been given during the course of the previously withdrawn application from earlier in 2010.

In overall terms the proposed layout and overall design of the proposed residential units is welcomed in listed building and design terms. Following revisions during the course of the application the location of the bathrooms at first to third floor level has been amended to span the spinal wall rather than abutting the chimney breast, which is considered more appropriate as the spinal walls have already lost the majority of their original fabric. Therefore, on balance, the special interest of the listed building will not be harmed at this point.

The proposed works at roof level are welcomed, involving the removal of an unsightly dormer window and its replacement with a conservation-style rooflight, flush with the external roof finish. The installation of a ventilator in the northern roof slop is considered to be appropriate since it will be concealed behind the front parapet. At this stage it is unclear what roofing material/finish is to be employed for the renewal of the roof covering. This will therefore be confirmed via condition, with an informative also added encouraging the applicant to use a natural slate authentic to the period of the property.

The application includes a high level of detail in terms of construction of new internal partitions, floor strengthening and insulation between flats, fire proofing (use of intumescent paint), new joinery (external basement and ground floor doors to external lightwells), and metal balustrade to existing rear lightwell. The level of detail is considered to demonstrate that the proposals are generally sympathetic with the special interest of the listed building, subject to their compliance with current Building Regulations. All of these alterations are therefore considered to be appropriate, with conditions denoting that works approved are only those specifically indicated on the drawings and all works shall use identical materials to those existing unless where otherwise stated. Such conditions will preserve the special interest of the listed building. During the course of this application the finish of the proposed internal doors have been revised so that they are solid timber six-panel doors, which are considered to be of a detailed design consistent with period of the property.

The proposed works represent a significant step forward for the building and are considered to be justified in design terms given the poor and deteriorating state of the building, its status on the Buildings at Risk register and the urgent need to stabilise, repair and bring the building back into use. The proposed works are considered to protect the setting and special interest of the listed building and the character and appearance of this part of the conservation area. The use of conditions will ensure the detailing of the proposed works is implemented in an appropriate manner. As such, the proposed works are considered to be acceptable in conservation and urban design terms.

Amenity

The proposed alterations are largely internal, with some limited works to the rear of the building. This includes the use of an existing outbuilding at ground floor level being used for habitable accommodation. In effect, this results in one door becoming a window. Such an alteration is not considered to result in any additional loss of amenity to neighbouring occupiers when compared with the present situation at the site. As such, no significant adverse amenity implications are envisaged. This is in terms of matters such as overlooking/loss of privacy, sunlight/daylight, outlook/sense of

enclosure and noise and disturbance matters.

Transport

In relation to transport matters, the residential units will be sought to be made car-free, as secured via a S106 Legal Agreement. This is required owing to the site having PTAL of 6b (excellent) and being within a Controlled Parking Zone. Therefore not making the development car-free would increase demand for on-street parking in the CPZ. King's Cross (CA-D) CPZ operates Mon-Fri 08:30-18:30, Sat 08:30-13:30 and 117 parking permits have been issued for every 100 estimated parking bays within the zone. This means that this CPZ is highly stressed (where overnight demand exceeds 90%) and hence the car-free agreement will ensure the existing stress in the area is not exacerbated. The applicant has indicated a willingness to enter into the Legal Agreement on this basis.

Turning to cycle parking, 4 spaces would normally be required (one per residential unit). However, it would appear that there is insufficient space within the ground floor of the property to accommodate the required cycle parking (two Sheffield cycle stands). It is considered given the listed nature of the building, the lack of space available and three of the four units being above ground floor level, the usual requirement for cycle parking should not be sought in this particular instance.

The proposed works amount to largely internal alterations and some limited external works to the rear of the building. The scale of these works is not considered sufficient to warrant the need for a construction management plan to be secured in this instance.

Recommendation:

Grant Planning Permission subject to S106 Legal Agreement for car-free housing

Grant Listed Building Consent

Disclaimer

This is an internet copy for information purposes. If you require a copy of the signed original please contact the Camden Contact on (020) 7974 4444