

<b>Delegated Report</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>		<b>21/10/2010</b>	
<b>(Members Briefing)</b>		N/A		<b>Consultation Expiry Date:</b>		1/10/2010	
<b>Officer</b>				<b>Application Numbers</b>			
Jennifer Walsh				a) 2010/4633/P b) 2010/4648/L			
<b>Application Address</b>				<b>Drawing Numbers</b>			
7 Birkenhead Street London WC1H 8BA				Please refer to draft decision notice			
<b>PO 3/4</b>		<b>Area Team Signature</b>		<b>C&amp;UD</b>		<b>Authorised Officer Signature</b>	
<b>Proposal</b>							
a) Excavation of enlarged basement to provide an additional room of accommodation with associated enlarged front lightwell to existing House in Multiple Occupation (Sui Generis). b) Internal alterations in association with excavation of enlarged basement to provide an additional room of accommodation with associated enlarged front lightwell to existing House in Multiple Occupation (Sui Generis).							
<b>Recommendations:</b>		a) Grant planning permission subject to a section 106 agreement b) Grant Listed Building Consent					
<b>Application Type:</b>		a) Full Planning Permission b) Listed Building Consent					
<b>Conditions or Reasons for Refusal:</b>		Refer to Draft Decision Notice					
<b>Informatives:</b>							
<b>Consultations</b>							
<b>Adjoining Occupiers:</b>		No. notified	<b>36</b>	No. of responses	<b>01</b>	No. of objections	<b>01</b>
				No. Electronic	<b>00</b>		
<b>Summary of consultation responses:</b>		An occupier at Flat 8, Zenith House, 8/9 St Chad's Street objects to the proposals on the following grounds: - There will be a lot of noise during construction and the works on the basement may undermine the foundations of 7 Birkenhead Street and also next door properties.  Officer response: Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. Noise nuisance from building works are therefore covered under separate legislation and are thus not relevant to the determination of this planning application. The proposed works are of minor scale and size; thus no structural implications are envisaged as a result of the works;					
<b>CAAC/Local groups comments:</b>		<b>Kings Cross CAAC object to the proposals on the following grounds:</b> - This does not seem a desirable thing to do to a listed building particularly when the result is such poor quality accommodation. Officer response: Please see sections 2 and 4.					
<b>Site Description</b>							
The application site comprises a three storey and basement end of terrace property located on the east side of Birkenhead Street. The building includes a ground and first floor rear extension and is split into 14 bedsit units and 2 studio units as an HMO. The host building is one of a terrace of seven Georgian houses, which are all Grade II listed and date from C1827-32. In addition to being a Grade II listed building, the application site is located in King's Cross Conservation Area.							

## Relevant History

**2006/4332/P and 2006/4332/L:** The erection of a mansard roof extension to provide 3 x additional bedsits (non-self-contained) to an existing house in multiple occupancy (sui generis). **REFUSED 15/15/2009**

**2008/5016/P and 2008/5021/L:** Erection of a pitched roof structure to the existing House in Multiple Occupation. **REFUSED 16/12/2008**

**2009/0630/P and 2009/0632/L:** Reinstatement of roof to existing House in Multiple Occupation (sui generis). **GRANTED 17/03/2009**

**2010/0736/L:** Internal additions and alterations to include installation of kitchen at first and second floor level and general refurbishment to existing House in Multiple Occupation (Class Sui Generis) **GRANTED 29/03/2010**

**2010/2626/P and 2010/2640/L:** Internal and external alterations including the replacement of doors, windows, roof covering and the erection of single storey rear ground floor extension, the excavation at basement to provide additional accommodation including a new lightwell for existing House in Multiple Occupancy (HMO) unit (Class Sui Generis). **WITHDRAWN 28/07/2010**

## Relevant policies

### London Borough of Camden Unitary Development Plan 2006

- SD6 – Amenity for occupiers & neighbours
- B1 – General design principles
- B3 – Alterations and additions
- B6 – Listed Buildings
- B7 – Conservation Areas
- H6 - Protection of Housing in Multiple Occupation
- T8 - Car-free housing and car capped housing
- T9 – Impact of parking
- T12 – Works affecting highways

### Camden Planning Guidance 2006

#### Kings Cross Conservation Area Statement

### LDF Core Strategy and Development Policies

The Inspector's Report into the Camden Local Development Framework Core Strategy and Development Policies Development Plan documents ("DPD"s) was published on 13th September and found the policies in the DPDs to be sound. This means "considerable weight" can now be given to these LDF policies even though at this stage they have yet to be formally adopted by the Council. Where there is a conflict between UDP policies and these LDF policies the Planning Inspectorate would consider it reasonable to follow the latter. However prior to formal adoption UDP policies should still be taken into account as the Council's adopted Development Plan.

### LDF Core Strategy

- CS1 - Distribution of growth
- CS5 - Managing the impact of growth and development
- CS11 - Promoting sustainable and efficient travel
- CS14 - Promoting high quality places and conserving our heritage

### LDF Development Policies Development Plan

- DP9 - Housing with shared facilities
- DP18 - Parking standards and 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
- DP27 – Basement and lightwells

## Assessment

### 1.0 Proposals

1.1 The application seeks planning permission and listed building consent to excavate the existing basement towards the front of the property and open up the right hand side (including a lightwell) to incorporate an additional room of accommodation. There is an existing basement unit and front lightwell to the left-hand side of the building. Consent is also sought for minor internal alterations at basement and ground floor level. The replacement of the windows has been removed from this application.

1.2 The proposed additional basement area is to be approximately 3.5m in length, 5.1m in width and 2.7m in depth.

1.3 The use class of the application site is not to change; this application is for an extension to the existing HMO building. A previous application has been approved for installation of kitchen and first and second floor.

1.4 Amendments have been received in regards to the proposed excavation of the basement at the request of the Council's Conservation and Urban Design Officer. The amendments have included;

- Revised drawings showing the retention of the brick built masonry buttresses;
- Revised schedule of works, specifically omitting the reference to replacing the windows and works to the upper floors and
- Specifically referring the retention of the existing retained masonry buttresses in the schedule of works;

1.5 The main issues to consider are:

- Design
- Impact on the amenity of the adjoining residents / quality of accommodation
- Transport issues

### 2.0 Design

2.1 The left hand side of the building already has an existing basement with front lightwell and as such the excavation of a new basement beneath the existing ground floor room to the right hand-side of the entrance door is considered appropriate in principle in design terms. Nevertheless a site inspection has confirmed that the area beneath the masonry partition wall at ground level is made up of large brick built doomed structural supports. Additional information has been submitted stating the masonry structure is located beneath the existing ground floor to the right hand side of the building. They are noted in the supporting documentation to be 'at a height of approximately 1450mm with a semi circular circumference at the base of 1800mm with the structure tapering towards to top, sloping sharply back to meet the original gable wall over 6 or 7 brick courses.' The supporting information states that the extent of the proposal will allow for this structure to remain as intended and backfilled with soil. Photographs of the masonry structure have been received. The proposed basement room will not abut the existing masonry structure. Within the schedule of works underpinning and floor slabs are to be predominantly reinforced concrete. Due to the proposed basement being smaller in size than the previously withdrawn application as well as the proposal protecting the half dome buttressing structure during the construction phase, the basement is not considered to damage the historical context of the listed building.

2.2 The proposed additional room of accommodation is to be accessed off the main basement landing which currently serves two rooms and a bathroom. The proposed additional room is to have an internal bathroom but share the existing cooking facilities.

2.3 One window is proposed at basement level. The basement is to be excavated to the same depth and height of the existing basement lightwell to the left hand side of the property. The size and design of the front lightwell and window is consistent with the existing adjoining lightwell. Similar railings and lightwells can be seen along the streetscene. Moreover railings around the area already exist. In this regard, it is considered that no harm would be caused to the special character of the building or character and appearance of the Conservation Area.

2.4 The previous superseded schedule of works referred to replacing the existing windows. Many of the upper floor windows appear to be original or of historic value. As such their replacement would harm the special interest of the building. Therefore this permission does not include any reference to replacing the windows. In overall terms the proposed works are considered to be appropriate; however conditions are recommended to be added to secure more details of the proposed window and door openings and brickwork to safeguard the special architectural interest of the building.

### 3.0 Transport

3.1 The site has a Public Transport Accessibility Level (PTAL) of 6b (excellent). The existing site consists of an existing House in Multiple Occupancy (HMO) unit. The proposal is to excavate the basement and lightwell for more residential accommodation and associated works.

3.2 There have been previous planning applications in relation to this site. Planning application with reference: 2006/4332/P was refused on the grounds that there was no legal agreement ensuring that the proposed new residential units were made car free.

3.3 As the property is a House In Multiple Occupation, there is no individual address assigned to each room. Therefore,

due to the CPZ being subject to parking stress and the site benefiting from a 6b PTAL rating, the whole scheme should be subject to a car free agreement securing the entire unit as car free. The applicant has shown a willingness to enter into the S106 Legal Agreement in order to regularise this situation. As such, the planning permission is subject to a S106 Legal Agreement to secure the whole building as being car-free.

3.4 Although the proposed works do involve some excavation works, the proposed basement is relatively small in size and is a single storey at the front of the house. Given this context, it is not considered that a construction management plan is required for the works to take place

#### **4.0 Amenity**

4.1 There are not considered to be any amenity issues that arise from the small basement excavation that warrant the refusal of the application. There are no privacy or overlooking issues owing to the proposal not projecting any further than the building line and being located at basement level. Therefore, the proposals are considered acceptable in amenity terms. With specific regard to structural implications, the level of excavation works required for the proposed works mean that it is not likely that neighbouring properties would be significantly impinged by the proposed works. In addition, building control legislation will seek to ensure that the works are carried out in a satisfactory manner.

4.2 In terms of the quality of accommodation proposed, the proposed room is considered to be of satisfactory size and regular in shape. It is also considered to receive adequate levels of natural light from the proposed lightwell. The Council's Private Sector Housing team has confirmed that the room is unlikely to create a serious hazard in terms of hazard lighting, based on an assessment of light levels in the front left basement room.

#### **5.0 Recommendation:**

5.1 Grant Planning Permission subject to a section 106 agreement securing the whole building as car free development.

5.2 Grant Listed Building Consent.

#### **DISCLAIMER**

**Decision route to be decided by nominated members on Monday 18<sup>th</sup> October 2010. For further information see**

<http://www.camden.gov.uk/ccm/navigation/environment/planning-and-built-environment/planning-applications/development-control-members-briefing/>