

Address:	165 Gray's Inn Road London WC1X 8UE	
Application Number:	2009/5883/P	Officer: Sara Whelan
Ward:	Kings Cross	
Date Received:	11/12/2009	
Proposal: Additions and alterations including the erection of a mansard roof extension and utilising basement floorspace in association with the creation of 8 residential units (2 studio, 2 one-bed, 3 two-bed, 1 three-bed (Class C3)); associated external works including installation of french doors to create two courtyards at lower ground floor level, conversion of two front vaults to form part of proposed Flat 2, and installation of three roof lights at first floor level.		
Drawing Numbers: 342-A-010; 011; 012; 013; 014; 015; 016; 017; 018; 020 REV E; 021 REV D; 022 REV C; 023 REV B; 025 REV A; 026 REV B; 027 REV B; 028; 029; 030; P-100 REV A; 101 REV B; 102 REV B; 103 REV B; 104 REV B; 105 REV A; 106 REV A; 107 REV A; 108 REV B; 109 REV A; 110 REV A; 111 REV B; 112 REV B; 113; 120 REV A; P-001 REV B; 002 REV A; 003 REV B; 004 REV B; 005REV A; 006 REV A; 007 REV A; 008 REV A; 009 REV A; 010 REV A; 011 REV A; 012 REV A; and Daylight and Sunlight Report (Jan 2010), Code for Sustainable Homes Strategy.		
RECOMMENDATION SUMMARY: Grant Subject to a Section 106 Legal Agreement		
<u>Related Application</u> Date of Application:	11/12/2010	
Application Number:	2009/5885/L	
Proposal: Internal and external alterations including the erection of a mansard roof extension and utilising basement floorspace in association with the creation of 8 residential units (2 studio, 2 one-bed, 3 two-bed, 1 three-bed (Class C3)); associated external works including installation of french doors to create two courtyards at lower ground floor level, conversion of two front vaults to form part of proposed Flat 2, removal of flat roof over existing light well, installation of 3 (and removal of 1) roof lights at first floor level and reconfiguration of internal primary staircases.		
Drawing numbers 342-A-010; 011; 012; 013; 014; 015; 016; 017; 018; 020 REV E; 021 REV D; 022 REV C; 023 REV B; 025 REV A; 026 REV B; 027 REV B; 028; 029; 030; P-100 REV A; 101 REV B; 102 REV B; 103 REV B; 104 REV B; 105 REV A; 106 REV A; 107 REV A; 108 REV B; 109 REV A; 110 REV A; 111 REV B; 112 REV B; 113; 120 REV A; P-001 REV B; 002 REV A; 003 REV B; 004 REV B; 005REV A; 006 REV A; 007 REV A; 008 REV A; 009 REV A; 010 REV A; 011 REV A; 012 REV A; P-D01 REV B; D02 REV B; D03 REV B; D04 REV A; D05 REV A; D06 REV A; D07 REV A; D08 REV A; D09 REV A; D10 REV A; D11 REV A; D12 and Daylight and Sunlight Report (Jan 2010)		
RECOMMENDATION SUMMARY: Grant Listed Building Consent		
Applicant:	Agent:	

Mr M Freeman Edenfield Estates Ltd 19 Sydney Grove London NW4 2EJ	Ko and Partners Architects Unit 6 1-3 Upper Richmond Road London SW15 2RF
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ANALYSIS INFORMATION

Land Use Details:			
	Use Class	Use Description	Floorspace
Existing	<i>B1 Office</i>		<i>452m²</i>
Proposed	<i>C3 Dwelling House</i>		<i>477m²</i>

Residential Use Details:										
	Residential Type	No. of Bedrooms per Unit								
		1	2	3	4	5	6	7	8	9+
Existing	<i>Flat/Maisonette</i>									
Proposed	<i>Flat/Maisonette</i>	4	4							

OFFICERS' REPORT

Reason for Referral to Committee: Clause 3(iii) the creation of five or more residential flats from the conversion of an existing building.

1. SITE

- 1.1 No.165 is a double fronted property, originally dating from circa 1811-20. It comprises three storeys plus basement accommodation. It is located on the south-west side of Gray's Inn Road approximately 100 metres north of the intersection with Guilford Street. The site falls within the Bloomsbury Conservation Area and is grade II listed. Backing onto the site is the Grade II* listed terrace at 11-26 Mecklenburgh Square.
- 1.2 During the later 20th century the building was comprehensively rebuilt and remodeled and the listing description indicates that the building was re-fronted at this time. However, the front elevation remains consistent with the character and appearance of the period, with gauged brick flat arches to recessed 6 over 6 sash windows, a stucco door surround with pilasters and a plain stucco first floor cill band. Nonetheless, internally there are no discernible historic features and all of the floor structures and internal walls have been rebuilt with modern materials and new steelwork. It is presumed that at this point, a full height extension was added to the centre of the rear elevation, giving the building a 'T' shaped plan form.

- 1.3 A further extension has been added at ground floor level which covers almost the entire former garden to the property. The building has an existing basement which has been used as storage space associated with the B1 Office use of the building. The only remaining voids on the site are the two lightwells to the rear of the building which run the full height of the property.

2. THE PROPOSAL

Original

- 2.1 The application proposes the change of use and works of conversion from office (Class B1) to residential (Class C3) to provide 8 flats (2 x studio, 2 x 1 bed flats and 4 x 2 bed). Externally, the application seeks planning permission for a mansard roof extension, a basement under the footprint of the existing building, utilising the enclosed space at the lightwells underneath the road, window and door alterations to rear and side elevations, installation of a brown roof and rooflights on the rear extension, and the provision of external lighting on the front elevation.

Revisions

- 2.2 Amended plans have been received to alter the layout of the kitchen associated with the 1 bed basement unit. This would ensure that all habitable rooms achieve sufficient daylight and sunlight. Revisions have also been received in relation to the 3 bed unit at basement level, including changes to the internal layout and the provision of a study.

3. RELEVANT HISTORY

- 3.1 There are a number of applications associated with the application site as detailed below. In particular, the current scheme follows a previous planning permission which allowed a change of use to provide five residential units.
- 3.2 **2008/4064/L** - Internal and external alterations in connection with the change of use from office (Class B1) to residential (Class C3), including internal alterations to the plan form, external window and door alterations to rear lower and ground floor elevation, installation of rooflights on rear extension, and the provision of external lighting on the front elevation. This application was submitted as an accompanying application to the current planning application, however sought minor revisions to the earlier listed building consent shown to be granted below. The application was **approved** on 07/10/2008.
- 3.3 **2008/1403/P** - Change of use from office (Class B1) to residential (Class C3) to provide 5 flats (1 bedsit/studio, 3 x 2 bed flats and 1 x 3 bed flats), and associated internal alterations. This application was **refused** on 06/06/2008.
- 3.4 **2008/4063/P and 2008/4064/L** Change of use and works of conversion from office (Class B1) to residential (Class C3) to provide 5 flats (1 x studio, 3 x 2 bed flats and 1 x 2 bed and study) and alterations to windows and doors, and the provision of rooflights to the roof of the rear extension and external lighting to the front of the building. These applications were **approved** on 06/11/2009 but not yet implemented.

4. CONSULTATIONS

- 4.1 Bloomsbury Conservation Area Advisory Committee – no response received
- 4.2 English Heritage – Authorisation for the Council to determine the application as seen fit (on the basis of the Councils specialist Conservation advice)

Adjoining Occupiers

<i>Number of letters sent</i>	42
<i>Total number of responses received</i>	1
<i>Number of electronic responses</i>	1
<i>Number in support</i>	0
<i>Number of objections</i>	1

- 4.3 One letter of objection has been received from the owner/occupier Flat 1, 14 Mecklenburgh Square, raising the following concerns;
- Concerned that people would utilise the flat roof areas as a roof terrace
 - The proposal would impact upon my light and privacy

5. POLICIES

- 5.1 Replacement Unitary Development Plan 2006

- 5.2
- | | |
|-----|----------------------------------------------------------|
| SD1 | Quality of life |
| SD6 | Amenity for occupiers and neighbours |
| SD2 | Planning obligations |
| SD9 | Energy and resources |
| H1 | New housing |
| H7 | Lifetime homes and wheelchair housing |
| H8 | Mix of units |
| B1 | General design principles |
| B3 | Alterations and extensions |
| B6 | Listed buildings |
| B7 | Conservation areas |
| E2 | Retention of existing business uses |
| N4 | Providing public open space |
| N5 | Biodiversity |
| T3 | Pedestrians and cycling |
| T7 | Off-street parking, city car clubs and city bike schemes |
| T8 | Car free housing and car capped housing |
| T9 | Impact of parking |
| T12 | Works affecting highways |

- 5.3 Camden Planning Guidance 2006

- 5.4 Bloomsbury Conservation Area Statement

6. **ASSESSMENT**

6.1 The principal considerations material to the determination of this application are summarised as follows:

- Change of use
- Character and appearance of host building and Bloomsbury Conservation Area
- Residential amenity of surrounding properties
- Residential amenity of future occupants
- Transport
- Sustainability
- Section 106 Issues

Change of use

6.2 The current application follows a previous planning permission for the change of use of the building from offices (Class B1) to residential accommodation (Class C3). There is no objection to the principle of the change of use and the consequential loss of business floorspace, as this was agreed by the previous planning permission.

6.3 The previous planning permission (2008/4063/P) provided five residential units. This current application seeks to utilise the entire the basement space and erect a mansard roof extension to provide eight residential units. This would result in the creation of three additional units compared with the previous scheme. Policy H1 (New housing) states that the Council will seek to meet and exceed the strategic housing target for the borough. Therefore the provision of eight residential units would be welcomed by the Council and would be in accordance with Policy H1.

Character and appearance of the host building and Bloomsbury Conservation Area

6.4 The proposal comprises a mansard roof extension and further excavation to utilise an existing basement level. New doors would be inserted at basement level.

6.5 The application site is Grade II listed. It was originally a terrace house constructed between 1811-1820. During the later 20th century the building was comprehensively rebuilt and remodeled and the listing description indicates that the building was re-fronted at this time. Internally there are no discernible historic features and all of the floor structures and internal walls have been rebuilt with modern materials and new steelwork.

6.6 The scheme proposes minor external alterations including changes to windows and doors at basement and ground floor levels and general works to refurbish the façade of the building including external lighting to the front of the dwelling. These are considered acceptable and are considered to have appropriate regard to the setting of the listed building and the character and appearance of the conservation area.

Mansard roof extension

- 6.7 Mansard roofs are a traditional means of incorporating additional floorspace into a building without adding height or bulk of a full storey. The proposed mansard roof extension would be a true mansard roof extension. It has been designed in accordance with the English Heritages guidance leaflet on Mansard Roofs.
- 6.8 The host building is three storeys in height, classically proportioned and is not part of a wider formal composition. The proposed mansard would be proportionally appropriate to the scale of the building and would relate in a subordinate manner to the building below. The proposed roof addition on this building is considered to be appropriate in form. There is a similar building further to the south on Gray's Inn Road (number 139 which is also Grade II listed) which features a mansard roof extension. This extension sits comfortably in the wider streetscene and is considered to serve as a good indicator that the proposed mansard roof extension would be appropriate to the character and appearance of the host building and the Bloomsbury Conservation Area.
- 6.9 Looking northwards along Gray's Inn Road the new mansard would be viewed in relation to the London Welsh Centre which is lower in height. The London Welsh Centre is unusual in this context in that it is a two storey building with a pitched roof and will always be overshadowed by its taller neighbours. Although the mansard would give additional height and bulk to 165 it is not considered that the roof extension would overly dominate the London Welsh Centre and would be seen in a context where there is a subtle variation on roof and parapet heights.
- 6.10 As the building has been rebuilt there is no issue with the loss of historic fabric in the roof of the Grade II listed building. The proposed design for the mansard is a scholarly reproduction of a design which is not uncommon on Georgian Town Houses. In terms of its execution and detailing it is considered to preserve the character and appearance of the host building and Bloomsbury Conservation Area.

Basement development

- 6.11 The proposed basement would be at the rear of the building. This would be underneath a large modern rear extension at ground floor level and part of the basement has already been partially excavated (which currently serves as storage space). The excavation of the new basement takes place outside of the footprint of the original building, would not alter the ground level at the rear of the property and would be largely screened by the surrounding boundary wall. Therefore it is not considered harmful to the historic fabric of the Grade II listed building or the character and appearance of the Bloomsbury Conservation Area.

Residential amenity of surrounding properties

- 6.12 The proposed mansard roof extension would be at roof level. The extension would be 15m from the rear elevation of properties fronting Mecklenburgh Square. Due to the separation distance to the properties at the rear of the application site, the roof extension would not have any significant impact upon the daylight or sunlight received by properties on Mecklenburgh Square. The proposed roof extension would be sufficient distance from other residential properties to ensure that no significant loss of light or dominance upon the surrounding properties would occur.

- 6.13 The proposed mansard roof extension would include new windows on the front and rear elevations. These new windows would be located above existing windows and would have no further impacts of overlooking than the existing situation.
- 6.14 The proposed basement accommodation would partly utilise an existing basement at the property. The units at basement level would have courtyard areas at lower ground level. These would be surrounded by the boundary walls and are not considered to result in any impacts of overlooking, noise or disturbance upon the surrounding area.

Residential amenity of future occupants

Mix of units

- 6.15 Policy H8 (Mix of units) requires that new residential schemes to provide a mix of unit sizes, large and small. The policy does not give any indication as to the percentage of accommodation which should provide family sized accommodation. However, it states that, when assessing the appropriate mix for units within a housing scheme, the Council should have regard to Camden's Housing Needs Survey (2004), the site conditions and general locality.
- 6.16 The survey shows that there is a shortage of all sizes of homes within the Borough. The building subject to this application is constrained in that it is a grade II listed building, with remnants of the original plan form and room volumes to the main front section of the building. This limits the possibility to substantially alter, either vertically or horizontally the volumes of the original rooms and affects the potential to provide space that would easily accommodate family sized units.
- 6.17 The proposal comprises 3 two-bedroom units, 2 studio units, 2 one-bedroom and 1 x 3 bed units. It is therefore considered that the subdivision of the space that has been proposed is the most sensitive manner in relation to the plan form of the original building.

Overlooking

- 6.18 The previously approved scheme presented issues with regard to mutual overlooking where windows to the rear lightwell directly faced each other. This has been overcome through the use of obscure glazing treatment on windows that directly face each other. A condition will require these windows to be permanently retained and maintained in obscure glazing. The scheme is now considered to adequately provide for a good quality of internal amenity to future occupiers of the building.
- 6.19 The windows on the rear elevation of the application building would be reorganised and new windows would be installed within the new mansard roof extension. The new windows and alterations to existing windows would face the rear elevation of properties on Mecklenburgh Square. The windows would maintain the same separation distance as the existing windows. Therefore it is not considered that any further impacts of overlooking would occur upon the surrounding area compared to the existing situation.

Daylight and sunlight

- 6.20 The previous planning permission at this site approved habitable accommodation at basement level, underneath the main part of the original dwellinghouse. This application seeks to utilise the basement underneath the extension at the rear of the property and connect this space to the previously approved basement.
- 6.21 Amendments have been received throughout this application process. These amendments include changing the internal layout of the 3 bed unit including the provision of a study and relocating a kitchen at basement level. A daylight and sunlight report has been submitted as part of the application. All bedrooms, living rooms and kitchens would receive adequate daylight and sunlight at basement level. The upper floors would also receive adequate daylight and sunlight levels. Therefore the proposal would be in accordance with Policy SD6 (Amenity of occupiers and neighbours).

Amenity space

- 6.22 The proposal would provide courtyard amenity space for the two flats at basement level. The residential units on the ground floor and above would not have any private amenity space. This is considered to be acceptable in this location considering that St Andrews Gardens are opposite the application site and Mecklenburgh Square Gardens are to the rear of the site. A condition would be attached to any permission granted ensuring that the flat roof of the ground floor rear extension would not be used as a roof terrace area. This will prevent detrimental impacts of overlooking, noise and disturbance.

Noise and vibration

- 6.23 The proposed residential units would front Grays Inn Road, a TfL red route. Appendix 1 of the London Borough of Camden's UDP contains noise and vibration thresholds for residential sites. The principle of residential accommodation has been agreed by the previous planning permission on the site (2008/4063/P). This permission was subject to a condition requesting that details of sound insulation measures for all of the new residential units fronting Grays Inn Road shall be approved by the Local Planning Authority. The approved sound insulation measures shall be installed prior to occupation of any of the residential units, and retained and maintained thereafter. This condition would be attached to any permission granted and would ensure that the future occupants would have acceptable levels of residential amenity.

Refuse and Recycling

- 6.24 The proposal includes the provision of storage areas at ground floor level. This is considered to adequately address the requirements for refuse and recycling needs. A condition is recommended to ensure that refuse and recycling facilities are provided prior to the first occupation of any of the residential units, and retained thereafter.

Lifetime Homes and Wheelchair Housing

- 6.25 Planning policy H7 requires all new dwellings be designed to meet Lifetime Homes standards. The applicants have submitted a Lifetime Homes assessment outlining how the proposed development conforms with the relevant requirements. Much of the 16 criteria required are difficult to secure in this building due to the building

being Grade II listed, therefore the scope to make physical alterations is somewhat limited. Although not all of the criteria can be met, the applicants have undertaken an exercise that clearly shows which criteria can be met, and justifies failure to meet any that will not be met by reference to the particular constraints responsible. Considering that the building is Grade II Listed the lifetime homes achievements on site are considered to be acceptable.

Transport

Cycle parking

- 6.26 UDP policy T3 requires development to sufficiently provide for the needs of cyclists, which includes cycle parking and UDP policy T7 states development must comply with Camden Parking standards. The London Plan also adopts the Transport for London cycle parking standards. Camden's Parking Standards for cycles (*Appendix 6 of the Unitary Development Plan*), states that 1 storage or parking space is required per residential unit. Therefore 8 cycle parking spaces are required. The applicant has included provision for 11 cycle parking spaces, which is more than the required amount and is welcomed.
- 6.27 However the cycle parking spaces would be at lower ground level and only accessed via a metal stairs with a 45 degree turn. Ideally a ramp would be attached to the staircase to allow for bikes to be pushed up and down rather than carried. This would not work in this situation as the staircase has a 45 degree turn. The previous planning permission approved cycle parking in this location with no ramped access. Considering that the building is Grade II listed the provision of any cycle parking is welcomed, even though it is not ideal as it would require bikes to be carried up and down the stair case.

Car-free development

- 6.28 There is no vehicular access to the site and none is proposed. The site has a Public Transport Accessibility Level (PTAL) of 6b (excellent) and is within a Controlled Parking Zone. The site is within the 'Clear Zone Region', for which the whole area is considered to suffer from parking stress. Therefore the eight proposed residential units are recommended to be car-free and this would be secured by a Section 106 legal agreement. Not making the development car-free would increase demand for on-street parking in the already stressed Controlled Parking Zone the site is within.

Sustainability

- 6.29 A Code for Sustainable Homes (CfSH) pre-assessment indicator has been submitted with the application. The proposed development would achieve level 3, and 50% in the categories of energy, water and materials. Whilst this complies with code level requirements, it would be required to secure a design stage and post construction review by Section 106 Agreement.
- 6.30 The scheme proposes a brown roof on the flat roof of the rear extension. A condition would be attached to any permission granted to require the submission of a hard and soft landscaping scheme to be submitted. This would ensure that green landscaping would be introduced for all courtyards and that full details of the brown

roof are submitted to the council. These measures are welcomed and would provide enhanced biodiversity value to the site. They would also assist with water runoff and thermal insulation of the building.

Section 106 Legal Agreement

Public open space

- 6.31 Proposals that include the provision of five or more residential units are likely to result in an increase in the use of public open space. Under Policy N4 of the Replacement Unitary Development Plan, where permission is granted for such developments a contribution should be made to the supply of open space. The proposed residential units potentially provide an additional 21 bedspaces. The Camden Planning Guidance (2006) requires the provision of 9m² per person; therefore the requirement in respect of this application would be 189m². The guidance states that the cost of provision is £55 per m²; with £5.70 per m² for maintenance of that space over 5 years. Therefore, in respect of the current development, a contribution of £15,781.50 is required towards the provision of public open space.

Education contribution

- 6.32 The proposed development, which includes the provision of five new residential units, is likely to place an increased burden on educational facilities in the area. It is therefore recommended that a contribution be made toward the provision of educational infrastructure in accordance with Policy SD2 and Section 34 of Camden Planning Guidance. The contribution has been calculated in accordance with formula contained in the CPG. The formula requires the provision of £3,148 per 2-bedroom unit and £7,572 per 3-bedroom unit. Therefore, in respect of the current proposal which includes 3 x 2-bedroom units and 1 x 3 bed unit a contribution of £17,016 is required towards educational infrastructure.

7. CONCLUSION

- 7.1 The proposed development of the site will bring back into function a vacant building and will provide a good quality residential scheme in a very accessible part of the Borough. The streetscene will also greatly benefit from the re-introduction of the presence of the building which has been boarded up for a number of years. The scheme is considered to make efficient use of the site and generally comply with all the relevant UDP policies and the Camden Planning Guidance 2006.

8. LEGAL COMMENTS

- 8.1 Members are referred to the note from the Legal Division at the start of the Agenda.

9. RECOMMENDATION

- 9.1 That planning permission be granted subject to conditions and to the satisfactory conclusion of a Section 106 Planning Obligation covering the following heads of terms:

- Car-free housing;

- All building works to be implemented in accordance with the submitted Code for Sustainable Homes pre-assessment 'minimum level 3', and a commitment to ensure these ratings are met in the final assessments via a design stage and post-construction sustainability appraisal
- Contribution towards provision of educational infrastructure £17,016;
- Contribution towards provision of public open space £15,781.50;