

Delegated Report		Analysis sheet		Expiry Date:		01/03/2010	
				Consultation Expiry Date:		05/02/2010	
Officer				Application Number(s)			
Jenny Fisher				2010/0130/P			
Application Address				Drawing Numbers			
259 Royal College Street London NW1 9LU				Refer to decision letter			
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature				
Proposal(s)							
Erection of a 2-storey rear extension, excavation of front lightwell and alterations to shopfront, all in conjunction with change of use of the ground floor and basement from offices (Class B1) to two 1-bedroom self-contained flats (Class C3).							
Recommendation(s):		Refuse planning permission					
Application Type:		Full Planning Permission					
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:	No. notified	16	No. of responses	00	No. of objections	00	
			No. electronic	00			
Summary of consultation responses:							

**CAAC/Local groups*
comments:**
*Please Specify

A letter of objection has been received from the Jeffrey's Street CAAC. Attached to the letter are a photo of the shopfront and a copy of a letter addressed to the Council (15/01/2007) concerning an application for 271 Royal College Street.

We object very strongly to the application made to change the front of 259 within the 'notable' parade of shops in Royal College Street [noted in the Conservation Statement]. The removal of the shop front should be denied. 241 Royal College Street is the only shop window in the two parts of the parade that has been allowed to insert a domestic window into the 'shop' front which was completed before the Conservation Area was created [the insensitive arrangement has been mentioned by Appeal Inspectors on several occasions].

The unsupported 'change of use' is not a reason to change the shop front. Planning officers and Conservation Officers will be aware of the many references in the Conservation Statement Jeffrey's Street (21) to this parade:

Page 22: While there are shopfronts of merit [?], many of the buildings are no longer in retail use and have been converted to residential use. Others retain their original fascia and console brackets but have modern shopfronts; several have been spoiled by insensitive alterations such as poor quality modern glazing, perspex signs, projecting box signs and box fascia covering first floor window sills, roller shutters, inappropriate brick infill where buildings have been converted to other uses and a plethora of ramps and railings which have been inappropriately placed and designed. On the whole, this part of the Conservation Area appears run down and the buildings are in need of sensitive restoration and regeneration.

Page 23: Buildings or features, which detract from the character of the area [note there is only one] Royal College Street. A number of the old shopfronts have been spoiled by poor quality shopfront alterations, signs, solid brick infill, ramps and railings.

We are concerned that planners decisions about this parade have historically being made, without recourse to the Conservation Statement, on a case by case basis allowing developers to compound the existing problems of ramps, steps and railings.

Conservation has in the last year paid great attention to applications and changes in Royal College Street; we hope that they will pay individual attention to this application.

Officer comment

Design implications of the proposal are discussed in detail in the assessment of the report below.

Jeffrey's Street Conservation Area designated 12/11/1985
Conservation Area Statement adopted 19/11/2002

Site Description

The property comprises basement, ground, first and second floors. Ground floor and basement are currently unoccupied were formerly in office (B1) use. There is a separate entrance door to the first and second floors in residential use and occupied.

This is an early Victorian mid-terrace building on the west side of Royal College Street. The front elevation to upper floors is brick built with plain sash windows. A shopfront has been retained at ground floor level. The front area, open with access from the pavement for most of properties along the parade, has been covered over and enclosed with a basic form of enclosure rather than a traditional balustrade. To the rear the original single storey closet extension has been retained. The rear garden has clearly been neglected a considerable time.

The building is sited within Jeffrey's Street Conservation Area and is recognised as a positive contributor. The shopfront is designated at one of merit.

Relevant History

10/04/1974 (23337) The change of use of the ground floor of 259, Royal College Street, NW1 from retail shop to light industry and the erection of a single storey rear extension.

Approved: Conditions 1. limited period – 1st May 1977. 2. personal to Mr. Galatoulas.

08/09/1980 (H12/19/5/30861) Continued use of the ground floor for dress making. Approved only condition restricting hours of operation.

Other Royal College Street premises

242: Planning permission **granted** 06/07/1987 (8700319) for a change of use to form one 2-bedroom maisonette at basement and ground floor levels one 1-bedroom flat at first-floor level and one 2-bedroom maisonette at second and third floor levels including the addition of a 2-storey rear extension at second floor and roof levels conversion of the existing roof space and the erection of railings to the front forecourt

209: 2003/3038/P **Refused** 23/12/2003 Two-storey rear extension to create additional living accommodation for existing basement flat and rear ground floor studio flat, and re-opening of lightwell to access basement.

Reasons for refusal: 1. Two storey extension would be detrimental to amenity of 207 2. removal of ramp 3. The proposed basement residential accommodation, by reason of the proposed poor level of light, ventilation and outlook would be contrary to Council approved standards in respect of residential conversions.

243: 12/08/2004 (2004/2626/P) **Appeal dismissed** for erection of an additional floor to form additional self-contained flat, formation of light well with railings around and stairs at front to give access to basement and extension of existing extract duct on rear elevation to terminate above new roof level.

265: 02/11/2006 (2006/3826/P) Permission **granted subject to a S106** for 'Change of use and conversion from single dwellinghouse to 2 x self-contained flats (Use Class C3), including excavation of the existing basement to increase head height and creation of a front lightwell, alterations to shopfront and construction of a two-storey rear extension at lower and upper ground floors with a roof terrace at first floor level.'

271: 02/02/2007 (2006/4764/P) **Granted** permission for 'Change of use and works of conversion of basement and ground floors from offices (Class B1) to 1 x two-bedroom maisonette (Class C3), involving external excavation at the rear to provide basement steps and alterations to the front and rear elevations.'

273: 17/04/2007 (2007/0411/P) **Refused** 'Change of use from office (Class B1) to self-contained flat at ground and basement levels (Class C3), involving excavation of a front lightwell, installation of railings to the lightwell and excavation at rear to accommodate a 2-storey extension. '

Reasons for refusal: 1. unacceptable levels of light; 2. design of front; absence of S106 car-free.

18/12/2007 2007/3125/P Change of use from office (Class B1) to self-contained flat at ground and basement levels (Class C3), excavation of a front lightwell and insertion of a door to rear elevation at basement level following the demolition of the existing rear extension. **Granted subject to 106**

Relevant policies

Replacement UDP:

SD2 (planning obligations)

SD6 (amenity for occupiers and neighbours)

E2 (retention of existing business uses)

E3C (accommodation for small firms)

H1 (new housing)

H7 (lifetime homes)

H8 (mix of units)

B1 (general design principles)

B3 (alterations and extensions)

B4 (shopfronts)

B7 (conservation areas)

T8 (car free housing and car capped housing)
T9 (impact of parking)
T12 works affecting highways)
Camden Planning Guidance
Jeffrey's Street Conservation Area Statement

Assessment

Proposed

Front: Installation of new ground floor residential window to replace shopfront. Excavate front lightwell area enclosed with a new balustrade and install steps to provide direct access from the pavement to the basement. Install window and door in front elevation at basement level.

Rear: Demolish closet extension and erect a two storey full width extension. Excavate area in front of basement extension to create a patio and allow natural light into a bedroom. A metal platform would be installed over the basement patio, steps from the platform would provide access to the garden for the ground floor flat. A door would provide access to the basement patio and another at ground floor level would open on to the platform.

Use: The change of use from B1 to C3 2 x 1 bedroom flats. The first/second floor 2 x bedroom self-contained flat would be retained.

Discussion

Main issues for consideration in this case are design, impact upon neighbouring amenity, residential standards, residential mix, the loss of an existing business use and transport.

Design

Although it is likely that the property was originally wholly in residential use, some time during the later 19th century the ground floor was converted to retail use and a painted timber shopfront of a traditional design was installed. Proposed in this case is the removal of the majority of features of the shopfront. The proposed front elevation shows only the retention of the fascia, fascia cornice and brackets, and the door to the upper floor accommodation at No 259A. All other elements are to be removed, including the shop window, mullions and transoms, entrance door and fanlight, plinth and pilasters, to be replaced with a solid infill, punctuated only by an ill-proportioned sash-style window.

The Council's Design Officer has raised fundamental concern about the removal of the majority of the existing shopfront and the insensitive replacement proposed, the proportion, scale and detailed design of which are considered out of keeping. It is considered that proposed alterations to the shop front in particular should be resisted since they harm the character and appearance of the conservation area. This view is supported by the Jeffrey's Street Conservation Area Statement. Aspects of this application including failure to respect site and setting, retain original features, the loss of what is considered a shop front of merit and adverse impact on the character and appearance of the conservation area are all contrary to UDP policies B1, B3, B4 and B7, and supporting planning guidance.

The principle of excavation of the front lightwell would be consistent with many other neighbouring properties and is acceptable. The replacement of the existing railing enclosing the front area with a more modern design to meet current building regulations is acceptable in principle. Although the loss of the existing railing may be regrettable, if the detailed design, materials and finishes were to be sensitively executed, no objection would be raised. In the event that future permission were granted a condition would be added seeking further design details.

In general the choice of white render and facing brick, timber panelled doors, and timber vertical sash windows painted white are acceptable in principle but drawings would need to be annotated. For example it is unclear as to whether the front area would be faced in brick or in white render.

Neighbouring Amenities

The parapet line of the proposed rear extension would be approx.1.3m higher than the existing closet extension. Rear elevations to the terrace face west and they are narrow (4m. wide). It is considered

that the increase in height and depth proposed is likely to overshadow the ground floor window to the rear of No.261 to a small extent although the existing boundary fence is of comparable height to the proposed extension. In addition at garden level the adjoining property appears to be in commercial and not residential use. The proposed metal platform providing access to the rear garden for the ground floor flat would be approx 1m above the existing garden level and is unlikely allow much opportunity for overlooking back into windows to the rear of No. 261. A screen would prevent this but would add to the potential overshadowing of the neighbouring property. The closet extension is 1.3m deep and this would be replaced with an extension 3m deep.

A high brick boundary wall separates the application premises from the building on other side of the property (No. 257) and this would be retained.

Overall it is considered that the amenities of the commercial occupants of No. 261 would not be sufficiently harmed to merit refusal of the application on grounds of loss of daylight or sunlight to habitable rooms.

Residential standards

The overall floor space of the basement flat is 41.28sqm and the ground floor flat would be 41.7sqm which is below the 48sqm required for a 2 person flat but exceeds the 32sqm. required for single person occupancy. The bedroom in each flat would exceed the minimum size of 11 sqm and it is apparent that both flats are designed for occupancy by two people.

The basement window to the front area would be 1.9m. to the rear 1.6m. The area of window above the 30° line has been measured. To the front an area of 0.76msq and to the rear 1.12sqm. have been calculated. The living/dining room to the front measures 13.3msq. in order to receive adequate daylight the area of light through the window should be at least 10%. This would not be met to the front. To the rear the bedroom is 11.18msq. the window area would 1.12msq. just about 10%. It is considered that the habitable room to the front of the basement would not receive adequate natural light. The failure to meet Camden's residential space standards and the poor quality of daylight and sunlight amenity to the basement flat would lead to unacceptable standards of accommodation in the basement, contrary to policy SD6.

Mix of units

Policy H8 requires residential developments to include an appropriate mix of large and small units. It is proposed to add two one-bedroom flats to the property, which already has a three bedroom flat shown on the existing plans. Given the overall size of the property, limited access to rear amenity space and the fact that the existing flat is of a larger size means that an acceptable mix of unit sizes is being provided.

Loss of Business Use

The basement and ground floor combined are 83msq. Within the 50 – 150msq range the Council is keen to retain for small firms. The applicant has declared that over a period of 8 months they have exhausted attempts to rent the property at a reasonable rate. However this is considered too short a period to satisfy the Council, normally a period of 2 years marketing is expected. It is considered that the loss of a B1 unit suitable for a small firm without adequate justification is unacceptable and contrary UDP policy E3.

Transport

Where a change of use from non-residential to residential occurs T8 is the relevant policy. It states that where the minimum parking standards are not practicable and where the application site is within a controlled parking zone, together with high public transport accessibility, a proposal of this type should be considered as car-free housing.

This area is located within the (CA-G) (Camden Town and Outer Somerstown) Controlled Parking Zone, which allows parking by permit only Monday – Saturday 08.30 – 18.30. Royal College Street is a 'Borough Distributor Road' and there is very little on-street parking available. The (CA-G) CPZ also has a ratio of parking permits to car parks of 0.98, meaning existing parking capacity is more or less fully subscribed. The site also has excellent access to public transport.

Given the location, a construction management plan (CMP) is required as the basement excavation in particular could create an obstruction on Royal College Street and disrupt traffic flow. It could also create a safety hazard for pedestrians. This will need to be submitted and approved prior to works commencing. The CMP would need to be established by s106 agreement.

Therefore if the proposal were to be recommended for consent, officers would seek a S106 legal agreement to secure car-free housing in order to control on-street parking (by preventing the occupiers from being eligible for residents' permits) and a CMP in order to minimise disruption to traffic and neighbours during construction.

Conclusion

The loss of a shop front of merit and elements of the replacement frontage proposed are unacceptable. Each of the proposed residential units would meet residential standards for occupancy by one person but not two however restricted natural light to the habitable room to the front of the basement flat would result in substandard accommodation. The basement/ground floor unit falls within the size of B1 accommodation that the Council is keen to retain for small business use. Marketing information submitted by the applicant only covers an 8 month period without take-up considered inadequate to justify the change of use proposed.

Planning permission should be refused.

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