

DISCLAIMER

Decision route to be decided by nominated members on Monday 05th October 2009. For further information see

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

Delegated Report (Members Briefing)		Analysis sheet	Expiry Date:	08/10/2009
		N/A / attached	Consultation Expiry Date:	10/09/2009
Officer			Application Number(s)	
Elaine Quigley			2009/3737/P	
Application Address			Drawing Numbers	
234 Royal College Street London NW1 9NJ			See draft decision notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Change of use and works of conversion from public house (Class A4) to two residential units (Class C3) (2 x 2-bedroom) at ground floor level, retention of new windows on the ground floor and lower ground floor rear elevation of the building and reinstatement of the front forecourt and front facade.				
Recommendation(s):	Grant planning permission subject to S106 agreement for car-free housing			
Application Type:	Full Planning Permission			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	18	No. of responses	040	No. of objections	03
Summary of consultation responses:	<p>6 letters of support have been received from residents within the wider development site (Flats in 232a Royal College Street), the Project Manager of the construction company undertaking the works on site) and Ringley House, 349 Royal College Street (letting agents and management company for the site). A copy of an extract from the Camden Gazette dated 09/09/2009 has also been submitted by the agent to demonstrate the local support for the proposal.</p> <p>A petition has also been submitted that includes 16 signatures of local residents in support of the proposal. The residents have advised that the “existing ground floor of the property is unsightly and unkempt and a potential health hazard”. They have also confirmed that “other developments in the area have already been converted from public houses to residential use so precedent has been set”. Further observations have been made including:</p> <ul style="list-style-type: none"> • The proposal would reintroduce key architectural features such as York stone frontage and window details • Improves the character and appearance of the conservation area • Create housing that is strategic objective of the Council • No impact on the parking facilities in the surrounding streets • Residential units are more compatible with the surrounding land uses • There are a number of alternative pubs within the vicinity in Camden town and Kentish Town 					
CAAC/Local groups* comments: *Please Specify	<p>South Kentish Town CAAC – objects The CAAC is concerned about the level of detail provided and raises the following issues: “The applicants must provide full and sufficient details of façade materials prior to approval. View was taken by the Inspector in a previous inquiry. The ground floor rooms do not comply with planning guidance and basement rooms do not comply with Building Regulations. The basement does not have permission to be used as residential.” See paragraphs 1.34 and 1.36 and 1.12</p> <p>Reeds and Rochester Place Neighbourhood Association (RRPNA)– objects An extensive history has been provided relating to the planning applications that have been submitted and determined and the works that have been undertaken from 2004 to the present time. The main issues are detailed below:</p> <ul style="list-style-type: none"> • Corrected some inaccuracies relating to the applicant’s submission including (i) the confirmation of the Conservation Area (CA) as Jeffrey’s CA not Reeds and Rochester CA as detailed in the planning statement (paragraph 2.3) (ii) advised that Gill Scott had no contact with the agent or 					

	<p>architect and offered no advice as stated in paragraph 3.17 of the planning statement See paragraph headed 'site description' referring to correct conservation area</p> <ul style="list-style-type: none"> • Inaccuracy in site maps submitted as they show the site as approved under 2001 permission (PEX0100046) and should be marked the site to reflect the three pieces of land See paragraph 1.38 • Details of works should not be conditioned. Applicant has not adhered to detailed plans and would not "carry out the reinstatement accurately" given their previous record. The details of reinstated beer drop should be provided (plans, elevations, sections and materials at scale 1:10 or 1:20) and glazed screen façade See paragraph 1.34 and 1.35 • Confirm that the new windows and staircase drawn and already built in the rear of the property serve both the ground floor and the cellar/basement. The basement does not form part of the application See paragraph 1.12 • Sizes of the rooms of the flats are undersized contributing to a poor standard of accommodation See paragraph 1.9 • Units are not compliant with a number of Lifetime Homes Standards (particularly in terms of entrance arrangements and circulation). Internal floor levels have been altered from the previous level ground floor bar space to necessitate steps in both flats See paragraph 1.10 • The flats (already built) do not conform to the drawings (bath does not fit in the bathroom of flat 1). This should be acknowledged as part of this application. See paragraph 1.36 and 1.37 • Location of bins in excess of Camden's CPG guidance and use of communal bins for proposed residential flats are currently inappropriate volume for the existing residents See paragraph 1.24 and 1.25
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Site Description

The application site is located on a prominent position on Wilmot Place facing College Gardens and comprises a three storey mid-terrace building. The former public house is unlisted and dates from the mid 19th century. It is considered to make a significant contribution to the character of the area and is located within the Jeffrey's Street Conservation Area.

Conversion works have already taken place within the building to implement the change of use to flats including the installation of internal walls, alterations to the front elevation and the unauthorised excavation of the front

lightwell. The current application relates to the reinstatement of the front forecourt and seeks to regularise the existing use of the ground floor as flats with associated works to the front and rear elevations of the building.

The existing façade is an attractive timber composition with two large glazed windows and three symmetrically placed doors. The fenestration is divided into small panes with glazing bars and the stallriser to the large windows and doors have applied mouldings.

Relevant History

There has been a detailed history relating to the site since 2001 that is listed below in chronological order from the most recent decision.

June 2009

Planning permission was **refused** on 15/06/2009 for the change of use and works of conversion from public house (Class A4) to two residential units (Class C3) (2 x 2 bedroom units) at ground floor level and retention of new windows on the ground floor and lower ground floor rear elevation of the building. The proposal was refused for the following reasons:

- 1. The proposed arrangement of the forecourt, by reason of the introduction of uncharacteristic and incongruous step features, would be harmful to the appearance of the building, and would fail to preserve or enhance the character and appearance of the Jeffrey's Street Conservation Area contrary to policies B1 (General design principles), B3 (Alterations and extensions) and B7 (Conservation areas) of the London Borough of Camden Replacement Unitary Development Plan 2006.*
- 2. In the absence of a legal agreement to secure car-free housing, the proposed development is likely to result in increased parking stress and congestion in the surrounding streets to the detriment of highway and pedestrian safety, contrary to policy T3 (Pedestrians and cycling), T8 (Car free housing) and T9 (Impact of parking) of the London Borough of Camden Replacement Unitary Development Plan 2006.*

February 2008

Planning application **2007/3309/P** for the change of use and works of conversion from public house (Class A4) to two self-contained flats at ground floor level, including alterations to ground floor front windows and doors and reinstatement of forecourt was **refused** for the following design reason:

- 1. The proposed forecourt alterations, by reason of their design and appearance, would be incongruous alterations in relation to the character and appearance of the building, and would fail to preserve or enhance the character and appearance of the Jeffrey's Street Conservation Area, contrary to policies B1 (General design principles), B3 (Alterations and extensions), and B7 (Conservation areas) of the London Borough of Camden Replacement Unitary Development Plan (2006); and supporting documentation outlined in the Jeffrey's Street Conservation Area Statement (2003)*

A subsequent appeal was dismissed in October 2008 on the grounds that the overly large areas of glass lights and the raised ventilation grilles would harm the character and appearance of the building and its forecourt, a lightwell was considered to be inappropriate for the property. (ref: Appeal Decision APP/X5210/A/08/2073462)

March 2007

Enforcement case was opened for lightwell excavated 1-2 years before and works commencing for completion of the 2 previous refused applications. (ref: EN07/0232)

March 2007

Planning application **2007/0501/P** for change of use of ground floor from public house (Class A4) to two self-contained flats (Class C3) together with infilling of unauthorised lightwell, alterations to front windows and new

windows to rear elevation was **refused** for the following reasons:

- 1. In the absence of adequate information to properly assess the detailed design of the proposal, it is likely to have a detrimental impact on the character and appearance of the building and the conservation area contrary to policies B1, B3 and B7 of the London Borough of Camden Replacement Unitary Development Plan 2006 and guidance contained within Camden Planning Guidance 2006 and the Jeffrey's Street Conservation Area Statement.*
- 2. In the absence of a legal agreement to secure car-free housing, the proposed development is likely to result in increased parking stress and congestion in the surrounding streets to the detriment of highway and pedestrian safety, contrary to policies T3, T8 and T9 of the London Borough of Camden placement unitary development plan 2006.*

June 2006

Planning application **2006/1686/P** for change of use of ground & basement from Public House (Class A4) to residential use (Class C3) providing 1 x 2 bed and 3 x 1 bed self-contained flats with associated external alterations to front and rear elevations was refused for the following reasons:

- 1. The proposed development, by virtue of unacceptable light levels reaching the basement level living rooms of flats 3 and 4, would fail to provide residential accommodation of an acceptable standard of amenity, contrary to the provision of policy EN19 (Amenity for occupiers and neighbours) of the London Borough of Camden unitary Development Plan, and policy SD6 (Amenity for occupiers and neighbours) of the revised Deposit Draft as amended by the proposed Modifications agreed by the Council's Executive on 11th January 2006, and the standards contained within Section 2,3 (Internal arrangements) of the London Borough of Camden Supplementary Planning Guidance 2002.*
- 2. The design of the basement level windows on the front elevation, by reason of their proportions and horizontal emphasis, would be out of keeping with the architectural style and character of the building to the detriment of the character and appearance of the building and of the Conservation Area. This would be contrary to policies EN1, EN13, EN21, EN22 and EN31 of the London Borough of Camden Unitary Development Plan 2000, and policies B1, B3 and B7 of the Revised Deposit Draft as amended by the Proposed Modifications agreed by the Council's Executive on 11th January 2006.*

A subsequent appeal was dismissed in March 2007 on the grounds that a lightwell was considered to be inappropriate for the property and insufficient level of detail of the formation of the lightwell, the finish of the external walls below ground level, the design of the means of access across it to the building entrance, or of any alterations to the ground floor glazed façade to provide opening windows or other means of ventilation. (ref: APP/X5210/A/06/2022362.)

April 2004

230/232a & 234 Royal College Street - Planning permission **granted** for variation of planning permission dated 07.12.01 (Reg. No.PEX0100046R3) which includes changes to fenestration, building levels, balcony treatment and roof terrace. (ref: PEX0101048)

December 2001

230/232a & 234 Royal College Street - Planning permission **granted** for demolition of public house extension, yard and church building, the erection of a new public house extension and formation of 10 new residential units, involving the erection of a 4 storey (including basement) building fronting Royal College Street comprising 6 units plus roof terrace and private gardens, the conversion of the existing floor space above the public house to form 4 residential units plus associated raised level communal gardens and staircase to the rear of public house and refuse area. (ref: PEX0100046)

Relevant policies

Replacement Unitary Development Plan 2006

SD6 Amenity for neighbours and occupiers
SD9 resources and energy
B1 General design principles
B3 Alterations and extensions
B7 Conservation areas
H1 New housing
H7 Lifetime homes and wheelchair housing
H8 Mix of units
T3 Pedestrians and cycling
T8 Car free housing
T9 Impact of parking

Camden planning Guidance 2006

Car free and car capped housing
Conservation areas
Cycle access – parking and storage
Daylight and sunlight
Extensions, alterations and conservatories
Lifetime homes and wheelchair housing
Materials and resources
Overlooking and privacy
Parking stress – residents' parking on-street
Residential development standards

Jeffrey's Street Conservation Area Statement

Assessment

Proposal

1.1 Planning permission is sought for the change of use from a public house (A4 use) to two residential units (Class C3) (2 x 2-bedroom) at ground floor level, retention of new windows on the ground floor and lower ground floor rear elevation of the building and reinstatement of the front forecourt and front facade. The internal works have already commenced to implement the proposed change of use including the installation of internal walls and construction of kitchens and bathrooms to create the two residential units. The external alterations include the following:

Shop front

1.2 The drawings show the retention and refurbishment of the façade treatment, with single panes reinstated where missing. Two modifications are proposed to the appearance of the ground floor façade including the insertion of a timber mullion into the centre of the two large glazed window panes and the creation of opening lights in the centre panes of the transom lights to allow some ventilation into the residential units.

Forecourt

1.3 The existing excavated lightwell area has been boarded over. As detailed above this does not benefit from planning permission and is unauthorised. Traditional glass blocks were proposed to be inserted at the upper level with York stone lower step adjoining the footway. The Inspector considered that the glass lights were overly large and the raised ventilation grilles would harm the character and appearance of the building and its forecourt, thereby failing to preserve or enhance the Georgian character and appearance of the conservation area.

Amendments to previously refused scheme

1.4 Additional plans and elevations have been submitted illustrating the position of the secondary inner wall behind the shopfront. The proposal would include opaque glass to be installed within the front windows of the shopfront to a level of 1.8m.

1.5 The previously refused scheme sought to include a step up from pavement level onto a flat threshold containing 12 equally sized York stone slabs. The scheme has been revised to provide an alternative solution that would include the reinstatement of the forecourt using 6 large format York stone slabs which would line through with the existing door openings. The threshold steps would align with the door surround. A false beer drop would be reintroduced and would be positioned in front of the main central entrance doors. It would be made of metal finish with a metal frame flush with the York stone to simulate a real beer drop. Reclaimed granite setts, which are more hardwearing than York stone, would line the pavement edge in front of the beer drop.

1.6 The previously refused scheme included two designated cycle parking spaces within the front forecourt. This has been omitted from the front forecourt and would be stored within the flats.

1.7 The principle considerations material to the determination of the application are:

- Change of use
- Standard of accommodation
- Lifetime homes standards
- Design
- Refuse
- Highways
- Residential amenity
- Sustainability
- Other issues

Change of use, mix of units and standard of accommodation

1.8 The drawings that were submitted as part of the previously refused scheme for the change of use to two self-contained flats (2 x 2 bed) at ground floor level show the same number and layout of flats as the current proposal. The principle of the change of use, and the mix of units did not form part of the reason for refusal and did not form part of the reasons why the Planning Inspector dismissed the appeal. There has been no material change in circumstances since this decision. Given that there are no policies to protect public houses the proposed change of use would be considered acceptable. The mix of units would provide two additional two bed units that would be considered acceptable.

Standard of accommodation

1.9 The proposal would provide 2 x 2 bedroom flats. The overall sizes of the flats would measure 63.7 sq. m and 61.6 sq. m. The Council's standards in terms of minimum overall floor area provision for a 2 bed flat is 61 sq. m. The proposed 2 bed (3 person) unit would comply with these standards and would be considered acceptable. In terms of the individual room sizes the CPG advises that double bedrooms should measure a minimum of 11 sq. m and single rooms should measure 6.5 sq. m. It is acknowledged that the size of some of the bedrooms in both flats would fail to meet the minimum sizes for double and single rooms as detailed in the Camden Planning Guidance. The main bedroom (Bedroom 1) of flat 1 would measure 9.4 sq. m (shortfall of 1.6 sq. m) and bedroom 2 of flat 2 would measure 5.7sq. m (shortfall of 0.8 sq. m). Although this is regrettable, given that the units would comply with the minimum overall floor area requirements, they would be well laid out with adequate day lighting. It must also be noted that as this is a conversion the room sizes are influenced by the location of the windows. Taking this into consideration, the flats would provide an adequate standard of accommodation and would be acceptable.

Lifetime homes standards

1.10 Policy H7 requires all new dwellings, including conversions, to be built to Lifetime Homes Standards wherever possible. The units would not be compliant with a number of Lifetime Homes Standards particularly in terms of the entrance arrangements and also the restricted circulation space between and around the flats. It is acknowledged that the Lifetime Homes Standards cannot always be achieved in conversions. Given that the internal walls have already been erected it would not be considered reasonable to refuse the application on this issue.

Design

1.11 There are windows which have been inserted into the rear elevation at ground/lower ground floor level. These would not be visible from the public realm and it is not considered that they have any significantly harmful impact on the character and appearance of the host building or the wider conservation area.

1.12 The rear elevation drawing has been annotated to show that the basement windows would serve a kitchen and study. The window details of the rear elevation have been shown as they currently exist. The use of the basement as residential accommodation has not received planning permission and the use of the basement does not form part of this application. Therefore an assessment has not been made on the acceptability of the use of the basement as residential accommodation. An informative would be added to the decision notice to advise the applicant's that planning permission would be required to change the use of the basement from a public house to residential flats.

(i) Shop front alterations

1.13 The proposed drawings show the retention and refurbishment of this façade treatment, with single glazed panes reinstated where missing. A number of modifications are proposed to the appearance of the ground floor façade.

1.14 It is proposed to insert a timber mullion into the centre of the two large glazed window panes. This will match the width of the mullion above the transom light and is considered acceptable. Furthermore the proposed configuration is considered appropriate and attractive solution to concealing the new dividing wall introduced internally in this location.

1.15 It is also proposed to create opening lights in the centre panes of the transom lights so as to allow some ventilation into the residential units behind. This is considered a reasonable modification, the details of which would be controlled by condition to ensure the introduction of an additional frame in the existing transom lights does not unduly harm the delicate appearance of the shop front transom lights.

1.16 The large window panes would include opaque glazing to a height of 1.8m to provide privacy to the rooms located within the front part of the flats. This type of glazing is a typical feature of public houses and would not be considered harmful to the character and appearance of the frontage.

1.17 The existing retained shopfront features such as the glazing beads, timber cornicing, panels, fluting, pilaster details and lead would be refurbished and replaced using hardwood features to match the original features. The details of any new features would be controlled by condition to ensure that they would match the existing adjoining original features in respect of the materials, detailed execution and finished appearance.

1.18 A 'secondary inner wall' is proposed behind the shopfront. This would be located behind and below the existing retained sealed doors and would not be harm the character and appearance of the shopfront because it would not be visible from the exterior or the property.

1.19 Although the proposal to retain and refurbish the existing architectural features on the shopfront are

welcomed, it is noted that a number of architectural features have been inappropriately 'refurbished' as part of the on-going unauthorised works to implement a scheme on the site. In this regard it would be necessary to attach a condition to ensure the appropriate high quality repair and reinstatement is carried out in respect of materials, detailed execution and finished appearance.

(ii) Forecourt

1.20 The existing forecourt has been removed without consent as part of the implement of a scheme to reuse the basement as residential flats. Evidence suggests that it would have historically, and until recently, comprised 6 large York stone slabs with a central beer drop. The forecourt would have been raised above the pavement level with a single step on to the level forecourt which would have contained a shallow slope up to the entrance threshold. An additional stone cill step (no further forward than the timber pilasters) would have allowed access into the pub via the three entrance doors. The forecourt is considered to form part of the setting of the public house which is recognised as making a significant contribution to the character of the area.

1.21 The proposed works include a step up from pavement level onto a flat threshold containing 6 equally sized York stone slabs. Three additional York stone, 1800mm wide by 100mm long, steps would be introduced on the forecourt to be level with the internal finished floor level.

1.22 The proposed arrangement intends to recreate the historic forecourt as much as practicable. Six large format York stone slabs would be reinstated on the forecourt which line through with the existing door openings. The threshold steps would align with the door surround. A false beer drop would be positioned in front of the main central entrance doors. It would be made of metal finish with a metal frame flush with the York stone to simulate a real beer drop. Reclaimed granite setts, which are more hardwearing than York stone, would line the pavement edge in front of the beer drop. The details of the beer drop would be controlled by condition to ensure its design preserves the character and appearance of the forecourt in respect of materials, detailed execution and finished appearance.

1.23 Having regard to the comments made by the inspectorate during the last appeal decision, it is considered that the proposed arrangement would satisfactorily re-establish the original design of the forecourt and therefore preserve the character and appearance of the building and the Conservation Area.

Refuse

1.24 The two residential units form part of a wider existing residential development. The upper floors of the application building comprise two residential flats with six residential units within the new building at the rear (232A Royal College Street). The two new units would be managed by the same management company as the adjoining residential flats. Consequently the future occupiers of the new flats would have access to the wider development including the rear of the site that has a gate that can only be accessed by an electronic key pad. The RRPNA has raised an objection to the location of the refuse storage area in relation to the new flats and the distance that the future occupiers would have to walk to access the area.

1.25 It must be noted that the CPG advises that residential development of 6 dwellings or fewer are serviced by a kerbside waste and recyclables collection. These should be stored within the flats and only taken out to the kerbside on collection days. The refuse storage for the new flats would be provided underneath the external staircase to the rear of the building rather than on the street. The refuse bin for each of the new flats would measure 0.29 cubic metres. The CPG advises that a storage space of 0.25 cubic metres would be required for a flat with the proposed number of habitable rooms (3). The space provided would therefore comply with the guidance provided in the CPG. Although the refuse storage area would be over 10m of the external door of the new flats it should be noted that the proposal would provide a safe and secure storage area that would not impede pedestrian or vehicular access. Taking this into consideration the proposal would be considered acceptable.

Highways

1.26 The site has a Public Transport Accessibility Level of (PTAL) of 6a (excellent) and is within a Controlled Parking Zone. Somers Town (CA-F) CPZ operates Mon-Fri 08:30 - 18:30, and has a ratio of parking permits to available parking bays of 1.07. This means that more parking permits have been issued than spaces available.

1.27 The proposed development would exacerbate existing on-street parking stress and congestion to the detriment of highway and pedestrian safety. To overcome this issue the applicant is agreeable to a S106 agreement to make the development car-free which is acceptable.

1.28 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. The applicant originally proposed to locate these on the front forecourt however there was not sufficient space to accommodate them and was considered to be inappropriate. The cycles could be stored within the flats and this would be considered as an acceptable solution.

Residential amenity

1.29 The proposal would not have an adverse impact on the amenity of the adjoining residents in terms of loss of light, privacy outlook or daylight.

1.30 The proposal would include the installation of opaque glass in the front ground floor windows. These windows serve the bedrooms of the new flats. The opaque glass would retain a level of privacy to these rooms from passing pedestrians along Royal College Street. Given that the bedroom windows would also include generously sized transparent fan lights the proposal would be considered acceptable in terms of the amenity of the future occupiers in terms of daylight, sunlight, outlook and privacy.

Sustainability

1.33 The agent has advised that several measures would be undertaken to ensure that the proposal would incorporate energy efficiency technology. These would include windows that have secondary glazing to reduce heat loss, installation of pressurised condensing boilers, low energy lighting, dual saving water wc flush units and energy saving taps. This is welcomed and would be encouraged.

Other issues

Lack of sufficient Information

1.34 The RRPNA has advised that the application drawings are not sufficiently detailed to assess the quality of the proposed shopfront to be reinstated. They suggest that additional sections, plans and elevations should be submitted to provide this information prior to the determination of the application. The RRPNA advised that this lack of sufficient details was cited by the Planning Inspector as part of a previously refused scheme that was dismissed at appeal. This information related to the formation of a lightwell (not part of this proposal) and the alterations proposed to the ground floor glazed façade to provide opening windows and ventilation. Since the determination of this application in 2007 the applicant has provided drawings that show additional details relating to the ventilation windows that would be single glazed hardwood fanlights to be installed for ventilation with the same glazing bead proportions as the original pub shopfront.

1.35 Given that the building is not a listed building detailed design drawings would not normally be required for these types of works to be submitted as part of the application. It would be considered unjustifiable for the Council to request this detailed information as part of the application based on any previous history associated with a particular applicant and would be considered to place an additional burden on the applicant that is not common practice on other similar applications of this nature. Consequently the Council could not require this information to be submitted prior to the determination of the application and it would be dealt with by conditions.

Inaccuracy in drawings

1.36 The RRPNA has advised that the drawings are inaccurate as the partition walls are visible through the pane of glass in the front façade. There is one existing partition (not shown on the proposed drawings) that crosses a glass zone adjacent to a door reveal. The proposed ground floor layout makes it clear that this will be corrected and that all walls will, when completed, align with the external façade details/verticals. The proposed drawings show that this partition will be stepped back by 100mm to meet the door reveal.

1.37 Although the drawings show a bath within the bathrooms of the flats it is not a requirement for new residential dwellings to include a bath. The CPG does not provide minimum floor area requirements for non-habitable rooms such as bathrooms therefore no objection could be sustained relating to this issue.

Site location plan

1.38 The application site identified in the site location plan includes 234 Royal College Street and the building to the rear at 232a Royal College Street. The area to the rear of the site has been included within the red line identifying the extent of the site as the proposal includes the communal bin storage area to the rear of 234 Royal College Street that would be shared with 232a Royal College Street. The details of the street addresses of the adjoining buildings would not be required to be provided on the site location plan.

Conclusion

1.39 The proposal would be considered acceptable subject to conditions relating to the detailed design and would be recommended for approval subject to a section 106 agreement for car-free housing.