

<b>Delegated Report</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>	<b>31/10/2006</b>
		N/A / attached		<b>Consultation Expiry Date:</b>	<b>02/10/2006</b>
<b>Officer</b>			<b>Application Number(s)</b>		
Elaine Quigley			2006/3940/P		
<b>Application Address</b>			<b>Drawing Numbers</b>		
62 Acton Street London WC1X 9NB					
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>		<b>Date:</b>
<b>Proposal(s)</b>					
Erection of a 2 storey rear extension to provide 4 additional rooms with a central internal link in connection with the House in Multiple Occupation (HMO) building (sui generis)					
<b>Recommendation(s):</b>		To refuse planning permission.			
<b>Application Type:</b>		<b>Full Planning Permission</b>			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
<b>Consultations</b>						
Adjoining Occupiers:	No. notified	<b>14</b>	No. of responses	<b>04</b>	No. of objections	<b>00</b>
Summary of consultation responses:	<p>3 letters of objection received from adjoining residents at ground and second floor flats in 59 Swinton Street that raise the following concerns:</p> <ul style="list-style-type: none"> <li>• Inadequate drawings of rear elevation</li> <li>• Reduction in daylight/outlook into and from garden area and properties</li> <li>• Invasion of garden privacy and enjoyment of life</li> <li>• Overdevelopment of site</li> <li>• Size, design and height of extension out of character with the area</li> <li>• Enclosed environment would affect flowers and trees and reduction in amount of green space would affect birds and wildlife</li> <li>• Building Control issues including potential load bearing capacity of garden wall due to age (200 years old),</li> <li>• Development too close to boundary</li> <li>• Increase in noise due to close proximity to boundary</li> <li>• Maintenance of rights of light</li> <li>• Ownership of party wall by 59 Swinton Street</li> <li>• Construction should start at basement level in order to minimise height invasion to all parties.</li> <li>• Disturbance during construction including creation of noise and dust from workmen and equipment.</li> </ul> <p>Conservation and Urban Design – the proposal would interrupt the established pattern of development and openness to the rear gardens of properties along Acton Street and Swinton Street and would have a detrimental impact on the character and appearance of the conservation area.</p> <p>Tree Officer – the roots of the holly tree in the rear garden of No. 57 Swinton Street would not be disturbed by the proposed extension however its crown may be affected. The tree is not worthy of a TPO.</p>					
CAAC/Local groups* comments: *Please Specify	<p><u>Bloomsbury CAAC</u> – Strong objection Loss of open space contrary to UDP and great loss of amenity to surrounding properties.</p>					

## Site Description

The application site is located on the north side of Acton Street and comprises a four storey building that is occupied as an HMO with 7 double rooms and 7 single rooms. The site is surrounded by mainly residential properties with pubs to the NW and W of the site. To the west, Nos. 64-68 (evens) Acton Street, is a terrace of three buildings that are Grade II Listed Buildings. Adjoining the application site to the north along Swinton Street is a terrace of 7 houses that are Grade II Listed Buildings. The site is within the Bloomsbury Conservation Area.

## Relevant History

There is no relevant planning history associated with the property.

## Relevant policies

Set out below are the UDP policies that the proposals have primarily been assessed against, together with officers' view as to whether or not each policy listed has been complied with. However it should be noted that recommendations are based on assessment of the proposals against the development plan taken as a whole together with other material considerations.

### Replacement Unitary Development Plan 2006

S1 and S2 'Strategic policies', SD6 'Amenity for occupiers and neighbours', B1 'General design principles', B3 'Alterations and extensions', B7 'Conservation areas', B6 'Listed buildings', H3 'Protecting existing housing', H6 'Protection of houses in multiple occupation'.

### Supplementary Planning Guidance (2002)

2.7 'Alterations and extensions'

### Camden Planning Guidance Consultation Draft 2006

'Conservation areas', 'Daylight and sunlight', 'Design', 'Extensions, alterations and conservatories', 'Listed buildings', 'Overlooking and privacy', '

## Assessment

Planning permission is sought for the erection of a 2 storey rear extension to provide 4 additional rooms with a central internal link in connection with the HMO building (sui generis). It is proposed to demolish the existing single storey flat roof timber shed that is located at the rear of the site and a small single storey covered area that is adjacent to the boundary with No. 64 Acton Street. The proposed extension would include a brick built extension that would extend across the whole width of the courtyard area at the rear measuring approximately 7.6m (width) by 4.8m (length) by 5.5m (height). A single storey extension would replace the existing single storey covered area that would project up to the boundary with No. 64 Acton Street and would measure 2m at its narrowest point extending to 2.5m by 2.9m (length) by 4.2m in height (from basement level). A glazed link is also proposed that would connect the main building to the brick built extension. This would be centrally located and would measure 2.1m (width). Lightwells would be created at basement level on both sides of the glazed link. The main part of the flat roof extension would be constructed of London stock brickwork to match the existing brick garden wall with the courtyard link element constructed of glass with hardwood frame and a lead flat roof. The adjoining property at No. 60 Acton Street has a single storey pitched roof extension in the rear garden area.

The main issues to consider as part of the application are:

- Use of the building
- The impact on the character or appearance of the building and the conservation area
- The impact on the character and appearance of the adjoining listed buildings
- The impact on the amenity of the adjoining residents

### Use of the building

The proposed extension would create 58.8 sq.m of additional floorspace in connection with the main building and would provide 2 rooms and a kitchen at each level. Environmental Health has confirmed that the building has been registered as an HMO since February 2002. The proposed increase in residential floorspace complies with Policy H3 of the RUDP and is considered acceptable.

### Impact on the character or appearance of the building and the conservation area

The floor plans indicate that the extension would be contained to the basement and ground floor. However due to the differences in the ground floor levels the proposal would extend above the cills of the first floor windows of the original building. The main brick built part of the proposed rear extension would extend along the entire width of the courtyard area and would be 2 storeys in height. It would encompass a large proportion of the rear garden area. The glazed link would also extend over two storeys and would project 2.3m in length. However it would be set away from the boundaries with the adjoining properties and would measure 2m in width.

It is proposed to construct part of the extension using London stock brick to match the existing boundary wall, install timber windows and a lead roof. The walkway leading from the original building to the extension would be constructed of glass. These materials would be sympathetic to the original building and would be considered acceptable.

When taken in isolation this glazed part of the extension may not be considered overdominant in relation to the original building given its scale and use of transparent materials. However the extension has to be viewed in its entirety and it is considered that cumulatively, the solid and glazed link would dominate the original building in terms of scale and bulk and would be considered inappropriate.

The proposed extension would be contained to the courtyard area to the rear of the property and would not be visible from the street. In general, the established pattern of the rear garden areas of the properties fronting Acton Street and Swinton Street are confined to small scale, low level extensions that retain a sense of openness. The extensions at No. 66 Acton Street and No. 61 Swinton Street have been constructed at least 5 years ago and are considered exceptions to the

established pattern of development within this part of the conservation area. The proposal would result in a two storey extension that would extend over most of the ground floor level and would interrupt this pattern and result in loss of openness to the garden areas of properties along Swinton Street and Acton Street. Consequently it is considered that the proposal would cause harm to the character and appearance of the conservation area and would be considered unacceptable.

It is noted that a large single storey extension has been constructed in the rear garden of No. 60 Acton Street. It would appear that this property is occupied as flats. There is no record of a planning application being submitted for this extension and this matter has been referred to the Council's Enforcement Team for investigation. This building cannot be considered as a precedent for this type of development in the rear gardens of the properties in the conservation area.

#### Impact on the setting of the adjoining listed buildings

The character of the area adjoining the application site is varied in terms of plot widths. The adjoining property at No. 64 Acton Street is part of a terrace of three properties that are Grade II listed buildings. Although the proposed extension would extend up to the boundary with the listed building, its location and design would not be considered to further harm the character and appearance of the setting of the listed building given the extensive development to the rear of the pub at No. 66 Acton Street that adjoins this property. The relationship between the proposed extension and the setting of No. 64 Acton Street is considered acceptable.

The properties to the rear of the application site at Nos. 55 to 59 (odds) Swinton Street are also Grade II listed buildings. Although the proposed extension would extend up to the boundary with No. 57 and 59 Swinton Street, it would not be considered to affect the setting of the listed building and would be considered acceptable.

#### Impact on the amenity of the adjoining residents

##### (i) Loss of light and privacy

The proposed extension would extend up to the boundary with the adjoining properties at Nos. 60, 64 Acton Street and 57 and 59 Swinton Street. No. 60 Acton Street has a large single storey extension in the rear garden area (see above) that is located approximately 1.8m from the rear elevation of the property. Views from the ground floor windows would be obscured by this extension. There are windows at first floor level that wrap around the rear and side elevation of the building closest to the application site. There would not be direct views from the windows in the main elevation of the building into the application site. Taking this into consideration and the orientation of the property, it is considered that the proposed upper floor would not have an adverse impact on the amenity of this property in terms of loss of light or privacy. Additionally, no windows are proposed to be inserted in the side elevations of the extension and would not lead to any loss of privacy. The proposed glazed walkway would be located 2.9m from the boundary with this property. Given the separation distance between the glazed walkway and the garden area of No. 60 Acton Street and the location of the existing single storey extension in the garden of this property it is considered that the walkway would not result in an adverse impact in terms of loss of privacy.

With regard to no 64 Acton Street it is considered that the window which would be most affected by the proposed development is the ground floor window in the rear elevation. It was unclear during the site visit what room this window serves. However taking into consideration the close proximity of an existing single storey covered area to No. 62 and the fact that the proposed extension would only project 0.6m higher than the existing extension, it is considered that any further loss of light to this room would not be harmful.

The rear elevations of the properties along Swinton Street would be located approximately 8m from the boundary with the application site. Given that the application site is located within a built up area of Central London, it is considered, on balance, that there would be a minimal separation distance between the proposed extension and the rear elevations of the properties along Swinton Street. The windows in the rear elevations of Nos. 57 and 59 Swinton Street are south facing. Although

regretable, an objection could not be sustained regarding any loss of light to these windows as a result of the extension.

(ii) Outlook and sense of enclosure

The proposed two storey extension would extend up to the boundary with the adjoining property at No. 64 Acton Street and No. 57 and 59 Swinton Street. The extension would project 1.8m above the existing boundary wall with No. 64 Acton Street and approximately 2.8m above the existing boundary wall with No. 59 Swinton Street. No. 64 has a small garden area to the rear that already experiences some sense of enclosure by the extensions at the public house at No. 66 and the two storey boundary wall that separates these properties. However it is considered that the proposed extension would result in an increased feeling of enclosure of this amenity area and would not be considered acceptable. No. 57 and 59 Swinton Street also have rear garden areas. Similarly no. 59 already experiences some sense of enclosure by the two storey extension at the public house at No. 61 Swinton Street that extends up to the boundary with this property. The height, scale and bulk of the proposed extension would also result in an increased feeling of enclosure of these garden areas and would harm the outlook from the habitable rooms in the rear elevation of these properties.

Other matters raised by third party letters of objection

Issues relating to noise during construction works would be controlled by Environmental Health legislation and would not be considered as part of this planning report.

Conclusion

The proposed extension by reason of its height, scale and bulk would not be subservient to the original building and would have a detrimental impact on the character and appearance of the building. Its height, scale and bulk would also be interrupt the established pattern of development within this part of the conservation area and would have a detrimental impact on its character and appearance. It would result in an increased sense of enclosure to the garden areas of the adjoining properties especially Nos. 64 Acton Street and 59 Swinton Street and would harm the outlook from the neighbouring properties, especially No. 59 Swinton Street. Consequently the proposal would be considered unacceptable and would be recommended for refusal.

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