

Delegated Report		Analysis sheet		Expiry Date:		08/08/2014	
		N/A		Consultation Expiry Date:		25/06/2014	
Officer				Application Number(s)			
Obote Hope				1.) 2014/3959/P 2.) 2014/4087/L			
Application Address				Drawing Numbers			
54 Birkenhead Street London WC1H 8BB				Refer to decision notice			
PO 3/4		Area Team Signature		C&UD		Authorised Officer Signature	
Proposal(s)							
1.) Replacement of one UPVC window with single timber glazed door, removal of existing open railings to rear elevation and erection of 1.1 metre high black balustrade railings to create roof terrace at second floor level on rear wing.							
2.) Replacement of one UPVC window with single timber glazed door, removal of existing open railings to rear elevation and erection of 1.1 metre high black balustrade railings							
Recommendation(s):		1) Refuse Planning Permission 2) Grant Listed Building Consent					
Application Type:		Full Planning Permission and Listed Building Consent					
Conditions or Reasons for Refusal:		Refer to Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:		No. notified	07	No. of responses	02	No. of objections	02
				No. electronic	00		
Summary of consultation responses:		A press notice was published between 03/03/2014 and 24/07/2013 A site notice was displayed between 27/06/2014 and 18/07/2014 2 objections received from 1 Crestfield Street and Friends of Argyle Square as follows; <ul style="list-style-type: none"> The roof terrace would be totally unacceptable due to overlooking and noise Would set precedent The proposal fails to enhance and protect the historic fabric of the building 					
CAAC/Local groups comments:		Bloomsbury CAAC- No response received at the time of this report.					

Site Description

The site contains two terraced buildings, which are three storeys plus basement and mansard level. The buildings are Grade II listed and located within the Bloomsbury Conservation Area.

The site is currently used by 'Women @ the Well' (a registered charity) as training rooms, meeting rooms, administrative offices and overnight accommodation for field charity workers and as residential convent accommodation by Mercy Sisters of the Institute of Our Lady of Mercy. Women @ the Well provide support to vulnerable women particularly those involved in street prostitution.

To the rear there is a yard which is used for parking and amenity space. The vehicular access is via a garage door fronting St Chad's Street.

Relevant History

CTP/L14/9/A/21609 Construction of a vehicular access to garage at the rear. Approved 05/11/1975

2005/3924/P - Change of use from hotel use (Class C1) to a mixed use comprising non self contained residential accommodation (Sui Generis), training/meeting rooms (Class D1), offices (Class B1) and associated functions for a charity, new external door at ground floor level to the rear elevation and lean-to smokers shelter and platform goods lift in the rear yard. Granted on 12/04/2006 subject to a S106.

2013/0677/P - Application under Section 106A (3) to modify a legal agreement and remove clause 4.1 (car cap) of the S106 associated with planning permission ref: 2005/3924/P dated 12/04/2006 (for change of use from hotel to a mixed use comprising non-self-contained residential accommodation, training rooms and offices). Refused on 21/03/2013.

2013/0462/P and 2013/0484/L - Replacement of existing UPVC windows with timber glazed doors, and of existing railings around 1st & 2nd floor rear flat roof areas with black metal railings and willow screens to form external terrace amenity areas, and installation of new railings at basement level. Refused 28/03/2013.

2013/4831/P and 2013/4971/L Installation of new railings at rear basement level to existing mixed use (D1/B1) building. Granted 22/10/2013.

2013/4958/PRE Proposed new roof terraces on existing flat roofs as shown on drawings.

2014/1497/P & 2014/1547/L - Erection of obscured glazed balustrades and parapets at first and second floor level to rear elevation to create 2 roof terraces and associated alterations to include the replace of existing 2 x UPVC windows with timber glazed doors in connection with residential units (Class C3) and interview room (Class D1). Refused 29/04/2014

Relevant policies

LDF Core Strategy

CS5 - Managing the impact of growth and development

CS9 - Achieving a successful Central London Borough of Camden

CS14 - Promoting high Quality Places and Conserving Our Heritage

Development Policies

DP24 - Securing High Quality Design

DP25 - Conserving Camden's Heritage

DP26 - Managing the impact of development on occupiers and neighbours

DP28 - Noise and vibration

Bloomsbury Conservation Area Appraisal and Management Strategy 2011

Camden Planning Guidance 2013

Assessment

1. Background

1.1 In 2013 (2013/0462/P and 2013/0484/L) permission was refused for the installation of railings for the provision of terraces at 1st & 2nd floor level (including associated elevational alterations to windows) for the following reasons:

- The proposed roof terraces, by reason of their position and proximity to neighbouring residential accommodation at no.1 Crestfield Street, would lead to a harmful degree of overlooking to habitable rooms and the amenity space of that property.
- The proposed railings and screens for the roof terraces, by virtue of their form and prominent location, would fail to preserve or enhance the character and appearance of the host building and of the Bloomsbury Conservation Area.

1.2 To address the above refusal, an application (2014/1497/P and 2014/1547/L), for the erection of obscured glazed balustrades and parapets at first and second floor level to the rear elevation to create 2 roof terraces (and associated elevational alterations was submitted. Permission was refused for the following reasons:

- The proposed increased in height of the parapet and screens, by virtue of their form, design and prominent position, would detract from the external appearance of the listed building to the detriment of its special character and architectural interest.
- The proposed roof terraces, by reason of their position and proximity to neighbouring residential accommodation at No.1 Crestfield Street, would lead to a harmful degree of overlooking to habitable rooms and the amenity space of that property.

1.3 Comments by the Conservation Officer during the assessment of the application (2014/1497/P and 2014/1547/L) noted that: "There are currently open metal balustrades which are less visually invasive within the streetscene; this arrangement is considered more sympathetic and something similar to the existing, without a parapet build up, would be more likely to be considered favourably if the principle of the terraces is considered acceptable in amenity terms."

1.4 It should be noted, the elevational alterations to the main building, namely amending windows to doors to provide access to the terrace did not form part of the reasons for refusal. This element remains unchanged as part of the current application as the proportions, timber finish and detailing are appropriate to the appearance of the building.

2. Proposal

2.1 Planning permission and listed building consent are sought for:

- The installation of black painted metal railings around the perimeter of the roof to form a terrace – with associated planters
- The replacement of a UPVC window with timber glazed doors at rear second floor level.

2.2 Revision

The submission of revisions, including planting, was submitted by the applicant, at no request by the officer but has been included for assessment.

3. Assessment

3.1 The main issues to assess in this application are:

- The design and the impact on the listed building and conservation area; and
- The impact on the amenity of surrounding occupiers

4. Design

4.1 The proposed 1.1m balustrade would be installed around the perimeter of the roof at second floor level; the proposed terrace would be approximately 2.9m (width) x 2.2m (depth), paved and comprise planters. The proposed roof terrace would be more sensitive in design to the host building as the balustrade now omits the finials and roundels between the vertical bars. Furthermore, the proposed balustrade would not cause harm to the appearance of the listed building due to its simple and sympathetic design and terminating height.

4.2 The proposed roof terrace is located towards the southwest elevation and as such, has a lesser visual impact in terms of prominence from the adjacent St Chad's Street. When compared to those previously refused, this scheme offers the opportunity to improve the appearance of the rear of the building as the existing key clamp railings are considered functional rather than the replacement railings which are more appropriate.

4.3 Within this context, no objection is raised in terms of design to the proposed railings, nor the associated timber glazed doors at rear at second floor level.

5. Impact on the amenity of surrounding occupiers

5.1 The issue of the amenity, in particular overlooking, was addressed in the decisions and officer reports on the previous applications on this site.

5.2 Camden's policies and guidance seek to ensure that development does not adversely impact the amenities of existing and future neighbouring occupiers. Design guidance CPG1 state that proposed terraces should not provide views into habitable rooms or the garden area closest to the dwelling-house. CPG6 says that development should be designed to protect the privacy of existing dwellings to a reasonable degree.

5.3 With regard to 2013/0462/P & 2014/1497/P the officer assessment was explicit in that:

'There is a hotel immediately adjacent to the north of the site at 56 Birkenhead Street. At numbers 2-4 Crestfield Street, there is the Crestfield Hotel and at number 1 Crestfield Street is a residential property. There would be approximately 10metres between the edge of the closest proposed roof terrace at first floor level and a bedroom window for number 1 Crestfield Street. Whilst there is an existing element of overlooking between the rear windows of Birkenhead Street and Crestfield Street it is considered that the proposed terraces would significantly worsen the situation and increase the loss of privacy for residential occupiers at 1 Crestfield Street contrary to guidance within CPG1 and CPG6 and policies CS5 and DP26. The low level of the screen proposed would not mitigate this impact to any significant degree, and were the height of the screen to be raised, it would only become more prominent and the harm to the host building and CA more apparent.'

5.4 Whilst the thrust of these comments relate to the 1st floor level terrace, the same harm was adjudged to the 2nd floor level.

5.5 In this instance, there would be a distance of approximately 13.1m from the rear and 11.1m from the flank elevation of No. 1 Cressfield Street. All windows at upper floor levels are bedrooms to residential accommodation. As per guidance within CPG6:

'To ensure privacy, there should normally be a minimum distance of 18m between the windows of habitable rooms of different units that directly face each other. This minimum requirement will be the distance between the two closest points on each building (including balconies). '

5.6 Whilst there is an existing element of overlooking between the rear windows of Birkenhead Street and Crestfield Street, it is considered that the proposed terrace, with an area of approx. 6.3sqm, would significantly worsen the impact in terms of loss of privacy for residential occupiers at 1 Crestfield Street.

5.7 It should be noted, the proposed planters would not sufficiently screen the views to both the Crestfield Hotel.

6. Conclusion

6.1 The proposed balustrade would match the aesthetics of the host building. However, the terrace at second floor would cause an unacceptable level of overlooking to habitable rooms at 1 Crestfield Street. For the reasons above the proposal is considered unacceptable in relation to policies CS5, DP26 and planning guidance CPG3.

6.2 The listed building consent is however, compliant with policies CS14; DP24 and DP25.

5. Recommendation

5.1 Refuse Planning Consent

5.2 Grant Listed Building Consent