

Delegated Report		Analysis sheet	Expiry Date:	28/04/2014
		N/A / attached	Consultation Expiry Date:	27/03/2014
Officer			Application Number(s)	
Obote Hope			1.) 2014/6785/P 2.) 2014/7003/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)				
<p>1.) Erection of obscured glazed balustrade, following the increased in size of the existing parapet wall at second floor level to rear elevation to create a roof terrace and associated alterations to include the replace of existing 1 x UPVC windows with timber glazed doors.</p> <p>2.) Erection of obscured glazed balustrade, following the increased in size of the existing parapet wall at second floor level to rear elevation to create a roof terrace and associated alterations to include the replace of existing 1 x UPVC windows with timber glazed doors.</p>				
Recommendation(s):		Refuse Planning Permission and 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	13	No. of responses	01	No. of objections	01
			No. electronic	00		
Summary of consultation responses:	<p>A press notice was published between 21/11/2014 and 12/11/2014 A site notice was displayed between 27/11/2014 and 12/12/2014</p> <p>Objection received from 1 Crestfield Street a summary of the consultation are as follows;</p> <ul style="list-style-type: none"> • The roof terrace would be totally unacceptable due to over-looking and noise • The proposed balustrade is out of character with the historic building • The proposal fails to enhance and protect the historic fabric of the building 					
CAAC/Local groups* comments: *Please Specify	No response received at the time of this.					

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 and 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 28/04/2014

2014/3595/P and 2014/4087/L 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 railing

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 pages 116, 118-9

Camden Planning Guidance 2013

CPG1 Design - chapters 1-3 and 5

CPG6 Amenity - chapters 1 and 7

London Plan 2011

NPPF 2012

Assessment

1. Background

1.1 In 2014 (2014/3959/P and 2014/4087/L) planning permission was refused for the installation of railings for the provision of terraces at 2nd floor level (including associated 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.

1.2 The listed building consent associated with the planning application was granted consent as the proposed railings were acceptable in design. However, the railing proposed would not overcome the issues for the proposed terrace in terms of loss of privacy and overlooking into the neighbouring residential properties.

1.3 This application follows various applications for proposed external terrace. However, of relevance would be planning application 2014/1497/P which follows pre-application advice that was given in 2013, this is due to the similarity in its design and the discussions between the planning authority and the agent at the pre-application stage and once the planning applications were submitted, the outcome of these discussions were that the proposal would not be acceptable in design due to the impact of the proposal with the architectural integrity of the listed building. The application relates to: The erection of obscured glazed balustrades and parapets at second floor level and the main difference in this application and the refused planning and listed building consents is that there is no first floor terrace being proposed, and as such, it's proposed to create a roof terrace to the northeast elevation.

1.4 Comments from the Conservation Officer during the assessment of the application (2014/1497/P and 2014/1547/L) noted that: *"The raised parapet walls with privacy screening would harm the appearance of the listed building as they would increase the bulk and height of the rear additions and result in undue prominence of the new roof terraces. They would be clearly visible from surrounding buildings as well as from St Chad's Street and it is considered that they would fail to preserve or enhance the character and appearance of the Bloomsbury Conservation Area. There are no objections in design in terms of the timber glazed doors at rear second floor and second floor level".*

1.5 It should be noted, the elevational alterations to the main building, namely the proposed replacement of the window with new door 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:

- Raise the existing parapet wall by 1.0m including new stone coping, and to fix a .08mm obscure glazed panel attached to black painted metal railings.
- The replacement of a UPVC window with timber glazed doors at rear second floor level.

2.2 Assessment

2.3 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

3. Design

3.1 The proposed 791mm 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, screened with series of metal railings surmounted on the proposed obscure safety screen.

3.2 The proposed roof terrace would increase the size and bulk of the rear at second floor level by constructing the parapet wall approximately 1m in height to the rear elevation at second floor level, this along with the proposed metal balustrade with obscured glazed screen would result in a inappropriate screening and when combined would be approximately 1.8m in height. The proposed terrace would be insensitively designed as the balustrade would be mounted on obscured glazing would significantly alter the rear elevation that would result in a terrace with a mixture of various screening measures that would be highly visible from the public domain that would have a detrimental impact to the rear of this 19th-century building.

3.2 The proposed roof terrace is located towards the southwest elevation. However, due to the high location combined with the distance from the public realm and the additional bulk being proposed, would have a visual impact in terms of prominence from the adjacent St Chad's Street, when compared to those previously refused, this scheme does not offer the opportunity to improve the appearance of the rear of the building as the existing simple balustrade would be combined with glazed screening are considered functional rather than appropriate.

3.3 The Conservation area officer considers the obscured glazed balcony as an alien and modern form at high level screening on the rear of this 19th-century building, visible in views along the rear of the listed terrace from within the conservation area. Therefore, the proposed design would harm the special interest of the listed building and its listed neighbours and the character and appearance of the conservation area. Therefore, the proposed scheme would be contrary to DP24, DP25 and CS14.

4. Impact on the amenity of surrounding occupiers

4.1 The amenity concerns that were raised, in particular overlooking, was addressed in the decisions and officer reports on the previous applications on this site.

4.2 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. CPG 6, also emphasize that. 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)

4.3 In 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 10m between the edge of the closest wing of the proposed roof terrace at second 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 increased the loss of privacy for residential occupiers at 1 Crestfield Street, and as such, the proposal would not be contrary to guidance contained within CPG1, CPG6 and policies CS5 and DP26. However, as the scheme is proposed the high level of the screen would mitigate this impact to any significant degree, and were the height of the screen to be raised, would only become more prominent and the harm to the host building and CA'

4.4 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:

4.5 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 not significantly worsen the impact in terms of loss of privacy for residential occupiers at 1 Crestfield Street due to the height of the proposed screening.

5. Conclusion

5.1 The proposed increased in height of the parapet wall and obscured screening would not serve to preserve or enhance this part of the conservation area and thus cause harm to the character and appearance of the existing listed building and rear of this terraced group which was considered worthy of protecting. For the reasons above the proposal is considered unacceptable in relation to policies: CS14; DP24; DP25 of the LDF and planning guidance CPG1 of the planning guidance. Futhermore, of material weight would be the Bloomsbury conservation area which the proposed design would detract from. It is recommended that planning permission and listed building consent are refused.

5.2 In view of the previous rejections of this scheme, either for overlooking, or for harms caused by attempts to prevent overlooking, it may be that no terrace is possible at this location.

5. Recommendation

5.1 Refuse Planning Consent

5.2 Refuse Listed Building Consent