

<b>Delegated Report</b>		<b>Analysis sheet</b>	<b>Expiry Date:</b>	28/04/2014
		N/A / attached	<b>Consultation Expiry Date:</b>	27/03/2014
<b>Officer</b>		<b>Application Number(s)</b>		
Obote Hope		1.) 2014/6786/P 2.) 2014/7006/L		
<b>Application Address</b>		<b>Drawing Numbers</b>		
54 Birkenhead Street London WC1H 8BB		Refer to decision notice		
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>	
<b>Proposal(s)</b>				
<p>1.) Erection of obscured glazed balustrade, following the increased in size of the 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 height of the parapet at second floor level to rear elevation to create a roof terrace and associated alterations to include the replace of existing 1 x UPVC window with timber glazed</p>				
<b>Recommendation(s):</b>	<b>Refuse Planning Permission and Listed Building Consent</b>			
<b>Application Type:</b>	<b>Full Planning Permission and Listed Building Consent</b>			

<b>Conditions or Reasons for Refusal:</b>	<b>Refer to Decision Notice</b>					
<b>Informatives:</b>						
<b>Consultations</b>						
<b>Adjoining Occupiers:</b>	No. notified	<b>13</b>	No. of responses	<b>01</b>	No. of objections	<b>01</b>
			No. electronic	<b>00</b>		
<b>Summary of consultation responses:</b>	<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"> <li>• The roof terrace would be totally unacceptable due to over-looking and noise</li> <li>• The proposed balustrade is out of character with the historic building</li> <li>• The proposal fails to enhance and protect the historic fabric of the building</li> </ul>					
<b>CAAC/Local groups* comments:</b> *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.

**2014/6755/P and 2014/7006/L** Creation of roof terrace at 2nd floor level with installation of timber glazed doors & raise the existing parapet wall by 150mm & fit new stone coping, and to fix a 1450mm obscure glazed panel attached to black painted metal railings.

## 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 The current applications are similar to the applications that are currently under determination for planning permission and listed building consents for a proposed roof terrace at second floor level:

1.2 This application follows various applications for the proposed external terrace. However, of relevance would be planning application 2014/1497/P which follows pre-application advice that was given in 2013 and due to the similarity in its design and discussions between the agent and the planning authority written confirmation was given on both accounts, which concludes that the proposal would not be acceptable in design as the proposed scheme would significantly alter the rear elevation to the detriment of the listed building. The application relates to: The erection of obscured glazed balustrades and parapets at second floor level, 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 at second floor level.

1.3 Comments from the Conservation Officer during the assessment stage 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".*

1.4 It should be noted, the elevational alterations to the main building, namely amendments made in design to the proposed terrace window that would be replaced with a 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 and age of the historic building.

### 2. Proposal

2.1 Planning permission and listed building consent are sought for:

- Installation of 1.6m obscured glazing surmounted on railings following the increase of the parapet wall by approximately 396mm including new stone coping.
- 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 existing balcony is currently located approximately 294mm from the base with the window at first floor level and the second floor railings currently 796mm in height and it's proposed to increase the height of the parapet wall 396mm higher than the current window and install a obscured glazed balustrade surmounted to 15 railings, following the replacement of the existing UPVC windows with a Timber framed door with vertical glazing panels.

3.2 The proposed height of the 1.6m balustrade (1.4m) glazed 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), that would be repaved.

3.3 The proposed roof terrace would increase the additional size and bulk of the rear due to the combined increased in height of the parapet with stone coping along with the 1.6m high balustrade, constructed with clad railings internally with toughened obscured safety glass, surmounted with traditional railings that would have a combined height of 1.8m. The proposed terrace would be insensitively designed as the balustrade with glazing combined with the parapet increased height would be very visible from the public domain and the proposed materials are considered not of an appropriate design and development on the rear of this 19th-century

building.

3.4 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, the proposed design would have a detrimental visual impact in terms of prominence from the adjacent St Chad's Street, when compared to the other planning and listed building applications that were previously refused. Assessing the current scheme does not offer the opportunity to improve the appearance of the rear nor preserve the architectural integrity of the building as the existing simple balustrade combined with the proposed safety glazed screening are considered functional rather than appropriate.

3.5 The Conservation area officer considers the obscured glazed balcony as an alien and modern form at such a high level on the rear of this 19<sup>th</sup>-century building, visible in views along the rear of the listed terrace from within the conservation area. If this roof terrace were itself to be considered acceptable in design, it would need to have simple, modest, painted metal railings. As proposed, the glazing harms the special interest of the listed building and its listed neighbours and the character and appearance of the conservation area. Therefore, the proposed scheme is 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 previous decisions and the officer's delegated reports on the previous applications for the proposed site. However, I have listed some of the key considerations in more details below:

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 and another at numbers 2-4 Crestfield Street called the Crestfield Hotel and at number 1 Crestfield Street is a residential property. There would be approximately 10m in length between the edge of the closest wing with the proposed terrace area 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 not significantly worsen the situation and increase the loss of privacy for residential occupiers at 1 Crestfield Street that would be contrary to guidance within CPG1 and CPG6 and policies CS5 and DP26. Therefore, the precautionary measures of the high glazed balustrade would mitigate this impact to any significant degree.

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. However, as above the high level measures of the increased in size of the parapet wall and glazed screens would not worsen the amenity impact.

4.5 Notwithstanding, 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. Conclusion**

5.1 The proposed increased in the parapet wall and obscured screening would not preserve or enhance this part of the conservation area and thus cause harm to the character and appearance of the existing listed building and the rear of the proposed terraced property which is considered worthy of protecting. However, the terrace at second floor would not cause an unacceptable level of overlooking to habitable rooms at 1 Crestfield Street. Nevertheless, the building is listed and whilst the application overcomes the impact with the neighbouring amenities. The overall scheme would fail to preserve the architectural interest of listed build on

account of the design, scale and bulk of what is being proposed, and as such, the proposal would be unacceptable in relation to policies: CS14; DP24 and DP25 and planning guidance CPG1. 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