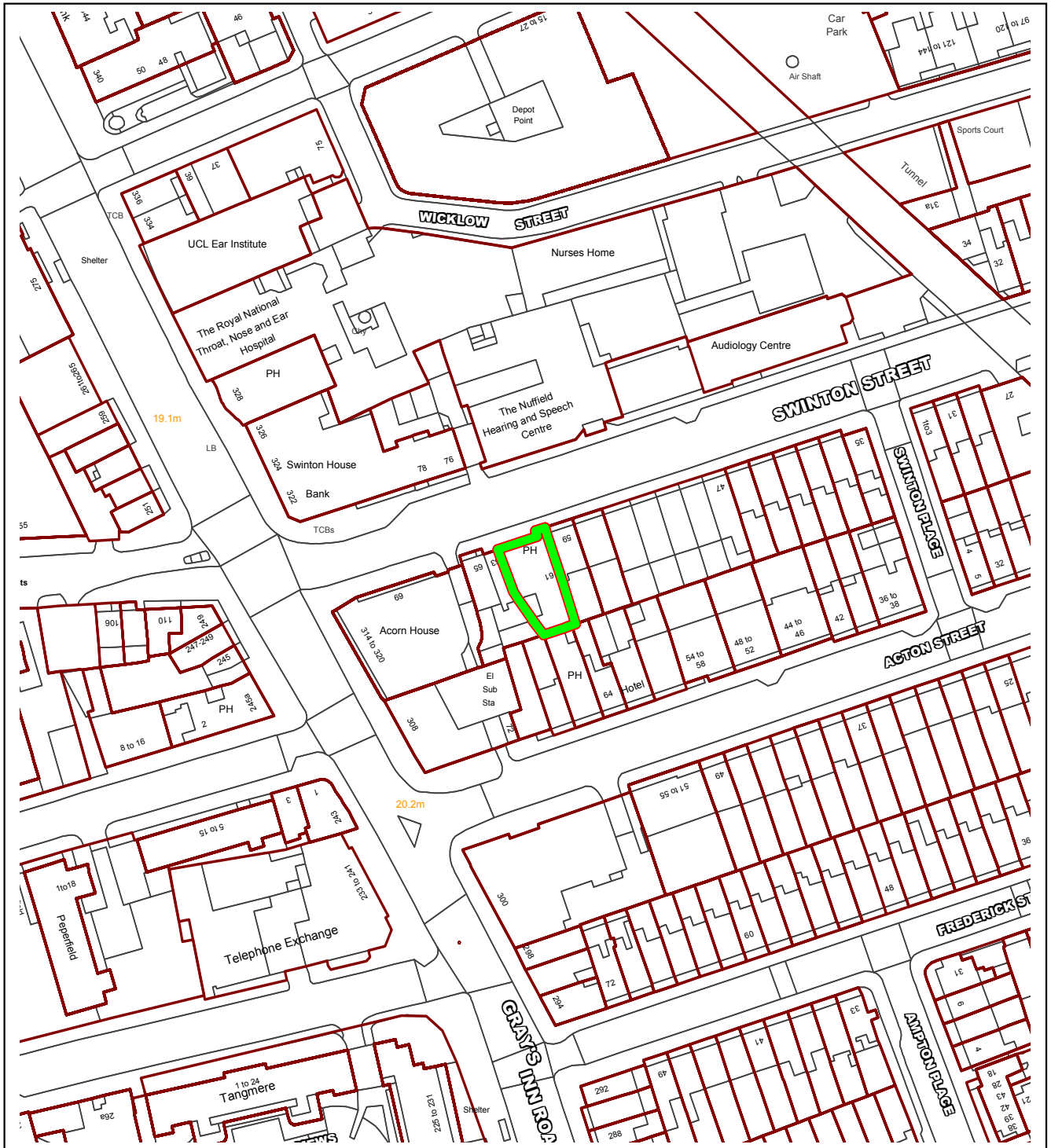


61 Swinton Street



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Delegated Report (Members Briefing)		Analysis sheet		Expiry Date:		07/04/2016	
		N/A		Consultation Expiry Date:		05/11/2015	
Officer				Application Number(s)			
Patrick Marfleet				2016/0197/P & 2016/0775/L			
Application Address				Drawing Numbers			
61 Swinton Street London WC1X 9NT				See draft decision notice			
PO 3/4		Area Team Signature		C&UD		Authorised Officer Signature	
Proposal(s)							
Conversion of public house (Class A4) with ancillary accommodation to a bistro (Class A3) at ground and basement floors, 2 x self-contained flats at ground floor and first floor (Class C3), and 10 room hotel (Class C1) at 1 st -3 rd floor, along with alterations and extensions including a three storey rear extension and lightwell to front.							
Recommendation(s):		Grant Planning Permission Subject to a Section 106 Legal Agreement					
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 No. electronic	03 03	No. of objections	03
Summary of consultation responses:		<p>Site notice: 17/02/2016 - 09/03/2016 Press notice: 18/02/2016 - 17/03/2016</p> <p>Three objections were received from 66 Acton Street, 59 Swinton Street and 39 Swinton Street with the following concerns raised:</p> <ul style="list-style-type: none"> - Not enough information on the proposed extension and how it will affect the amenity of neighbouring residents. - Restaurant at ground and basement level will lead to increased noise and disturbance levels as well as traffic pollution. - The front lightwell will have a significant impact on the privacy of neighbouring residents. - The proposed extension will result in loss of light and outlook to neighbouring dwellings. - Dust created by construction of the proposed development will damage health of neighbouring occupiers. - This residential street is being transformed by excessive planning permission being granted for hotels. 					

	<ul style="list-style-type: none"> - Street rubbish and low-grade crime has increased on Swinton Street due to its transformation in recent years. - Camden requires more flats in the area south of Euston Road not more hotels.
CAAC/Local groups comments:	Bloomsbury CAAC: No response to date.

Site Description

The application site is a four storey property with basement located on the southern side of Swinton Street close to its junction with Grays Inn Road. The building was most recently in use as a Public House with ancillary residential accommodation provided on the second and third floors, the site is currently vacant.

The property is Grade II listed and located within the Bloomsbury Conservation Area.

Relevant History

2013/4027/PRE - The proposal is for the conversion of the building from public house (Class A4) with ancillary accommodation to a bistro (Class A3) over the ground and basement floors, 2x self-contained flats at ground and first floors (Class C3), and 14 room hotel (Class C1), along with alterations and extensions including a three storey rear extension and the introduction of a lightwell at the front (**pre-app advice issued 03/10/2013**).

2014/3316/P & 2014/6518/L - Internal alterations in association with conversion of public house (Class A4) with ancillary accommodation to bistro (Class A3) at ground and basement floor levels, 2x self-contained flats at ground and first floor levels (Class C3) and 10 room hotel (Class C1), and erection of a three storey rear extension and light well to front (**planning permission and listed building consent refused 20/03/2015**).

Reasons for refusal:

- Unacceptable impact on the special character and historic fabric of the listed building.
- Poor standard of living accommodation
- Absence of a sustainability report
- Loss of public house (not pursued by council at appeal)
- Absence of a legal agreement

Appeal History:

The applicant subsequently appealed the council's decision to refuse Planning Permission and Listed Building Consent for applications 2014/3316/P & 2014/6518/L.

In his report the appeal inspector dismissed all of the reasons for refusal stated above apart from the absence of a legal agreement to secure car free development at the site, his response to both appeals can be seen below:

APP/X5210/W/15/3065814 (Planning Permission appeal dismissed 17/11/2015)

When dismissing the appeal for full planning permission the inspector concluded that; *Whilst the appeal for Listed Building Consent had been allowed, the absence of an agreement to secure car-free development represents the omission of something necessary to make the development acceptable in planning terms and also contrary to what is sought by Core Strategy Policies CS11 and CS19 and Development Policy DP18. Appeal ref. APP/X5210/W/15/3065814 APP/X5210/W/15/3065814 must therefore be dismissed.*

APP/X5210/Y/15/3065818 (Listed Building Consent appeal allowed 17/11/2015)

The inspector acknowledged that whilst there would be some harm to the listed building as a result of the development it would be less than substantial when compared against the NPPF and would be outweighed by the public benefit of bringing the building back into effective use. The council's concerns regarding the impact of the development on the appearance of the listed building and conservation area were therefore dismissed and the appeal against the refusal of Listed Building Consent upheld.

Relevant policies

LDF Core Strategy and Development Policies

Core strategies

- CS1 (Distribution of growth),
- CS5 (Managing the impact of growth and development),
- CS8 (Promoting a successful and inclusive economy)
- CS9 (Achieving a successful Central London)
- CS11 (Sustainability)
- CS14 (Promoting high quality places and conserving our heritage)
- CS19 (Delivering and monitoring the Core Strategy)

Development policies

- DP2 (Making full use of Camden's capacity for housing)
- DP13 (Employment premises and sites)
- DP14 (Tourism development and visitor accommodation)
- DP16 (Transport implications of development)
- DP17 (Walking, cycling and public transport)
- DP18 (Parking standards and limiting the availability of car parking)
- DP19 (Managing the impact of parking)
- DP20 (Movement of goods and materials)
- DP21 (Development connecting to the highway network)
- DP22 (Promoting sustainable design and construction)
- DP24 (Securing high quality design)
- DP25 (Conserving Camden's heritage)
- DP26 (Managing the impact of development on occupiers and neighbours)

Camden Planning Guidance 2015

Bloomsbury Conservation Area Appraisal and Management Strategy 2011

Assessment

1.0 PROPOSAL

- 1.1 The appeal of the refused schemes was dismissed by the inspector solely on the basis of the absence of a legal agreement for car free development. Therefore, the proposed development remains unchanged from the one that was refused planning permission and listed building consent by the council in 2015.
- 1.2 Planning permission and listed building consent are sought for the conversion of public house (Class A4) with ancillary accommodation to bistro (Class A3) at ground and basement floor levels, 2x self-contained flats at ground and first floor levels (Class C3) and 10 room hotel (Class C1), and erection of a three storey rear extension and light well to front. The development comprises the following:
- Three storey rear extension measuring 3.7m deep, 10.6m wide and the same height and pitched roof to match the existing building. The new extension would be constructed with reclaimed brickwork to match the existing and new double glazed sash windows.
 - To the front of the property, all existing sash windows to be refurbished and re-fitted with single glazing, external doors to be refurbished and modern doors to be replaced with traditional timber panelled doors. New iron railings and lightwell reinstated.
 - Basement: New staircase to access basement and internal floor level lowered with new concrete slab and insulation. The basement would comprise a kitchen, lobby and plant room.
 - Ground floor: New entrance with a lobby area leading to bistro/breakfast room. A separate entrance proposed for the two bedroom flat with a courtyard.
 - First floor: One bedroom flat and two en-suite guest rooms for the hotel.
 - Second floor: Four en-suite guest rooms proposed.
 - Third floor: Four en-suite guest rooms proposed.
 - Internal alterations include: subdivision of the first floor, reconfiguration of the first flight of stairs including structural work to the spine wall and loss of bar features, remove the original rear wall to extend the depth of the building, and increase the height of the ceiling at third floor level.

2.0 ASSESSMENT

- 2.1 The material considerations for this application are summarised as follows:
- Land use
 - Design and Conservation;
 - Residential development standards
 - Amenity of neighbouring residential occupants;
 - Sustainability
 - Transport

2.2 Land Use

2.2.1 In the previously refused scheme the council considered the proposed hotel, bistro and additional residential units to be acceptable uses of the site. The loss of the public house was considered contrary to Policy DP15 (Community and leisure uses) and cited as reason for refusal.

2.2.2 However, during the subsequent appeal of the refused schemes the council did not to pursue the loss of the public house. The loss of the public house is therefore considered acceptable as it would bring a vacant site back into effective use.

2.3 Design and Conservation

2.3.1 The recent appeal in relation to an identical application was dismissed solely on the absence of a legal agreement for car free development at the site (see relevant history section). As all of the design and conservation issues have been found acceptable by the planning inspectorate, there can be no objection to the proposed works which simply seek to reapply for the same development with a legal agreement in place. For this reason the proposed development is considered acceptable on design grounds. A condition requiring the submission of details relating to the proposed samples and materials to be used along with detailed drawings of the new doors, windows and railings would be imposed to ensure the acceptability of these elements.

2.4 Residential development standards

2.4.1 The council considered the two bed flat proposed in the previously refused scheme to provide unacceptable living standards and would receive poor levels of daylight and sunlight due to the single aspect windows.

2.4.2 In his report the inspector concluded that whilst the outdoor amenity space for the proposed flats would be small, the site location is a densely developed urban area and so the amenity expectations of the flat should be coloured accordingly. With this in the mind the inspector considered the outdoor courtyard to the rear of the site to be of sufficient size to provide adequate amenity space for the occupiers of the flats. The proposal is therefore considered acceptable in terms of residential development standards. Further details relating to the internal layout and accessibility of the building will be secured by condition.

2.5 Amenity

2.5.1 In the previously refused application the proposed hotel use was considered to have a limited impact on the amenity of neighbouring occupiers and nothing has changed in this regard with the current application. Likewise, the proposed Bistro (A3) would not harm the amenity of adjoining occupiers in terms of increased noise or fumes emanating from the site.

2.5.2 The size and scale of the proposed extension was not considered to cause undue harm to the amenity of neighbouring occupiers in terms of loss of light or outlook and this remains the case with the current proposal.

2.5.3 In the previously refused application the proposed two bedroom flat was considered not to create a good standard of accommodation for future occupiers of the site. In his report the appeal inspector dismissed this refusal reason and considered the proposed flat to be acceptable and not in conflict with Core Strategy Policy CS5 and Development Policy DP26. Therefore, the proposed development is considered to have an acceptable impact on

neighbouring amenity.

2.6 Sustainability

In his report the inspector noted that due to its size the proposed development would not require a supporting sustainability statement and the council's reason for refusal on this basis was unjustified. The proposed development remains unchanged from the previously refused scheme and a sustainability statement would therefore not be required. A condition requesting details of water consumption at the site would be imposed to ensure the development would minimise the need for further water infrastructure.

2.7 Transport

2.7.1 The site is located on Swinton Street, which provides excellent access to both Kings Cross and St Pancras Railway and Underground Stations the location has an excellent PTAL 6a rating. There is no vehicle access to the site. The site fronts the Transport for London Road Network (TLRN) of Swinton Street (which is one-way westbound at this point). The development has the potential to add additional parking stress and congestion in the area. Given the site is so highly connected with a number of links to public transport it is considered that any development should be secured as car-free via S106 Legal Agreement.

2.7.2 There is no vehicle access to the site. The site fronts the Transport for London Road Network (TLRN) of Swinton Street (which is one-way westbound at this point). The construction activities are likely to have a significant impact, and it will need to be planned how the servicing and construction of the development will be managed in order to minimise any impact on the highway. A Construction Management Plan should therefore be secured via a s106 Legal Agreement.

3.0 **Recommendation**

3.1 Grant Planning Permission subject to s106 legal agreement and Listed Building Consent

DISCLAIMER

Decision route to be decided by nominated members on May 3rd 2016. For further information please click [here](#)

Divine Ideas (UK) Ltd
Legacy Business Centre
Suite 126 2A
Ruckholt Road
London
E10 5NP

Application Ref: **2016/0775/L**
Please ask for: **Patrick Marfleet**
Telephone: 020 7974 1222

28 April 2016

DRAFT

Dear Sir/Madam

DECISION

Planning (Listed Building and Conservation Areas) Act 1990

Listed Building Consent Granted

Address:
61 Swinton Street
London
WC1X 9NT

DECISION

Proposal:

Internal and external alterations in association with conversion of public house (Class A4) with ancillary accommodation to a bistro (Class A3) at ground and basement floors, 2 x self-contained flats at ground floor and first floor (Class C3), and 10 room hotel (Class C1) at 1st-3rd floor, along with alterations and extensions including a three storey rear extension and lightwell to front.

Drawing Nos: 1306 PL001, 1306 PL100, 1306 PL101, 1306 PL102, 1306 PL103, 1306 PL104, 1306 PL105, 1306 PL150, 1306 PL151, 1306 PL160, 1306 PL161, 1306 PL162, 1306 PL200 A, 1306 PL201 A, 1306 PL202 A, 1306 PL203 A, 1306 PL204 A, 1306 PL205 A, 1306 PL250, 1306 PL251, 1306 PL260 A, 1306 PL261, 1306 PL262, 1306 PL301, 1306 PL401, 1306 PL402, Design & Access Statement dated May 2014, Heritage Statement dated April 2014, Structural Report dated May 2014, Daylight and Sunlight Assessment dated May 2014, Waste Management Strategy dated May 2014, Internal Daylight/Sunlight Calculations dated May 2014, Cover Letter dated January 2016.

The Council has considered your application and decided to grant subject to the following condition(s):

Director of Supporting Communities



Conditions And Reasons:

- 1 The works hereby permitted shall be begun not later than the end of three years from the date of this consent.

Reason: In order to comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

- 2 All new external and internal works and finishes and works of making good to the retained fabric, shall match the existing adjacent work with regard to the methods used and to material, colour, texture and profile, unless shown otherwise on the drawings or other documentation hereby approved or required by any condition(s) attached to this consent.

Reason: In order to safeguard the special architectural and historic interest of the building in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 3 The works hereby approved are only those specifically indicated on the drawing(s) referred to above.

Reason: In order to safeguard the special architectural and historic interest of the building in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 4 Detailed drawings, or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the Council before the relevant part of the work is begun:

- a) Typical details of new railings at a scale of 1:10 with finials at 1:1, including materials, finish and method of fixing into the plinth .
 - b) Plan, elevation and section drawings of all new doors at a scale of 1:10 with typical moulding and architrave details at a scale of 1:1.
 - c) Plan, elevation and section drawings, including jambs, head and cill, of all new windows including any roof lights at a scale of 1:10 with typical glazing bar details at 1:1.
 - e) Samples and/or manufacturer's details of new facing material. The panel must include facing brickwork
 - f) Details of any works of alteration or upgrading not included on the approved drawings which are required to satisfy Building Regulations or Fire Certification
 - g) Plan, elevation and section drawings of the new staircase at a scale of 1:10 including details of the handrail, treads, newel and balustrade at a scale of 1:10
- The relevant part of the works shall then be carried in accordance with the approved details.

Reason: In order to safeguard the special architectural and historic interest of the building in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP25 of the London Borough of Camden Local Development Framework Development Policies.

Informative(s):

- 1 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts which cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Argyle Street WC1H 8EQ, (tel: 020-7974 6941).
- 2 Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Council's Noise and Licensing Enforcement Team, Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 4444 or on the website <http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-the-environmental-health-team.en> or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

Director of Supporting Communities

Divine Ideas (UK) Ltd
Legacy Business Centre
Suite 126 2A
Ruckholt Road
London
E10 5NPApplication Ref: **2016/0197/P**

28 April 2016

Dear Sir/Madam

DRAFT
FOR INFORMATION ONLY - THIS IS NOT A FORMAL DECISION
Town and Country Planning Act 1990 (as amended)**DECISION SUBJECT TO A SECTION 106 LEGAL AGREEMENT**

Address:

**61 Swinton Street
London
WC1X 9NT**

Proposal:

DECISION
Conversion of public house (Class A4) with ancillary accommodation to a bistro (Class A3) at ground and basement floors, 2 x self-contained flats at ground floor and first floor (Class C3), and 10 room hotel (Class C1) at 1st-3rd floor, along with alterations and extensions including a three storey rear extension and lightwell to front.

Drawing Nos: 1306 PL001, 1306 PL100, 1306 PL101, 1306 PL102, 1306 PL103, 1306 PL104, 1306 PL105, 1306 PL150, 1306 PL151, 1306 PL160, 1306 PL161, 1306 PL162, 1306 PL200 A, 1306 PL201 A, 1306 PL202 A, 1306 PL203 A, 1306 PL204 A, 1306 PL205 A, 1306 PL250, 1306 PL251, 1306 PL260 A, 1306 PL261, 1306 PL262, 1306 PL301, 1306 PL401, 1306 PL402, Design & Access Statement dated May 2014, Heritage Statement dated April 2014, Structural Report dated May 2014, Daylight and Sunlight Assessment dated May 2014, Waste Management Strategy dated May 2014, Internal Daylight/Sunlight Calculations dated May 2014, Cover Letter dated January 2016.

The Council has considered your application and decided to grant permission subject to the conditions and informatives (if applicable) listed below **AND** subject to the successful conclusion of a Section 106 Legal Agreement.

The matter has been referred to the Council's Legal Department and you will be contacted shortly. If you wish to discuss the matter please contact **Aidan Brookes** in the Legal Department on **020 7 974 1947**.

Once the Legal Agreement has been concluded, the formal decision letter will be sent to you.

Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans 1306 PL001, 1306 PL100, 1306 PL101, 1306 PL102, 1306 PL103, 1306 PL104, 1306 PL105, 1306 PL150, 1306 PL151, 1306 PL160, 1306 PL161, 1306 PL162, 1306 PL200 A, 1306 PL201 A, 1306 PL202 A, 1306 PL203 A, 1306 PL204 A, 1306 PL205 A, 1306 PL250, 1306 PL251, 1306 PL260 A, 1306 PL261, 1306 PL262, 1306 PL301, 1306 PL401, 1306 PL402, Design & Access Statement dated May 2014, Heritage Statement dated April 2014, Structural Report dated May 2014, Daylight and Sunlight Assessment dated May 2014, Waste Management Strategy dated May 2014, Internal Daylight/Sunlight Calculations dated May 2014, Cover Letter dated January 2016.

Reason:

For the avoidance of doubt and in the interest of proper planning.

- 4 The development hereby approved shall achieve a maximum internal water use of 105 litres/person/day, allowing 5 litres/person/day for external water use. Prior to occupation, evidence demonstrating that this has been achieved shall be submitted to and approved by the Local Planning Authority.

Reason: To ensure the development contributes to minimising the need for further water infrastructure in an area of water stress in accordance with policies CS13 of the London Borough of Camden Local Development Framework Core Strategy and policies DP22 and DP23 of the London Borough of Camden Local Development Framework Development Policies.

- 5 All units hereby approved shall be designed and constructed in accordance with Building Regulations Part M 4 (2).

Reason: To ensure that the internal layout of the building provides flexibility for the accessibility of future occupiers and their changing needs over time, in accordance with the requirements of policy CS6 of the London Borough of Camden Local Development Framework Core Strategy and policy DP6 of the London Borough of Camden Local Development Framework Development Policies.

Informative(s):

- 1 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts which cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Argyle Street WC1H 8EQ, (tel: 020-7974 6941).
- 2 Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Council's Compliance and Enforcement team [Regulatory Services], Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 4444 or on the website <http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-the-environmental-health-team.en> or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

Yours faithfully

Culture and Environment Directorate