

<b>Delegated Report</b>		<b>Analysis sheet</b>	<b>Expiry Date:</b>	29/11/2016
			<b>Consultation Expiry Date:</b>	17/11/2016
<b>Officer</b>			<b>Application Number(s)</b>	
Helaina Farthing			1. 2016/5414/P 2. 2016/5716/L	
<b>Application Address</b>			<b>Drawing Numbers</b>	
1 St Chad's Street London WC1H 8BD			See Draft Decision Notices	
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>	
<b>Proposal(s)</b>				
<ol style="list-style-type: none"> <li>Conversion of existing single family dwelling to provide 2 flats (1x 4 bedroom and 1x1 bedroom) and erection of external staircase from basement to ground floor level within front lightwell, new entrance gate within ground floor front railings and new balustrade around rear stairs at garden level (Class C3).</li> <li>Internal alterations and external alterations associated with the conversion of the existing single family dwelling to provide 2 flats (1x 4 bedroom and 1x1 bedroom), and erection of external staircase from basement to ground floor level within front lightwell, new entrance gate within ground floor front railing, new balustrade around rear stairs at garden level and internal alterations (Class C3).</li> </ol>				
<b>Recommendation(s):</b>		<ol style="list-style-type: none"> <li>Refuse Planning Permission</li> <li>Grant conditional listed building consent</li> </ol>		
<b>Application Type:</b>		<b>Full Planning Permission</b> <b>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>00</b>	No. of responses	<b>00</b>	No. of objections	<b>00</b>
<b>Summary of consultation responses:</b>	<p>A site notice was displayed from the 21/10/2016 expiring on the 11/11/2016 and a press notice was advertised from the 27/10/2016 expiring on 17/11/2016.</p> <p>No letters of objection have been received following the consultation period.</p>					
<b>CAAC/Local groups comments:</b>	<p>The Kings Cross CAAC was notified and objected on behalf of themselves and the Friends of Argyle Square on the following grounds.</p> <p>CAAC Comments</p> <ol style="list-style-type: none"> <li>1. This is a fourth rate listed single family house, for which there is plenty of demand;</li> <li>2. Dwelling house should remain as original use.</li> </ol> <p>Officer Comments</p> <ol style="list-style-type: none"> <li>1. See paragraph 3.1 of the assessment section of the report</li> <li>2. See paragraph 3.1 of the assessment section of the report</li> </ol>					

## Site Description

The application site is located at the end of terrace on the north side of the street. It is a Grade II listed building and is located within the Kings Cross St Pancras Conservation Area.

The listed terrace dates back to the 1820s and is constructed from yellow stock brick with 1<sup>st</sup> floor stucco sill bands and no.s 2-4 have stucco channelled ground floors. Each is of three storeys with basement and mansard with a two window range, round-arched openings at ground floor, and all with cast iron railings at pavement level. No.'s 2-7 form part of the Comfort Inn Kings Cross Hotel; No.1 has retained its single dwelling use.

## Relevant History

### Application site

Planning permission and listed building consent were refused on 21/06/2016 (ref 2016/1227/P and 2016/2074/L) for conversion of dwelling to provide 5 flats (5x1 bed) and erection of single storey rear ground floor extension.

The planning application was refused on a number of grounds including (i) substandard size of new units (ii) size and design of single storey rear extension and (iii) absence of s106 to secure car-free development. The listed building application was refused on (i) the harmful impact of the conversion works to accommodate 5 flats on the architectural and historic interest and (ii) the bulk, height and detailed design of the single storey rear extension.

## Relevant policies

### NPPF 2012

### The London Plan 2016

Housing Standards

### LDF Core Strategy and Development Policies 2010

CS1 Distribution of growth  
CS5 Managing the impact of growth and development  
CS6 Providing quality homes  
CS13 Tackling climate change through promoting higher environmental standards  
CS14 Promoting high quality places and conserving our heritage

DP 2 Making full use of Camden's capacity for housing  
DP5 Homes of different sizes  
DP 6 Lifetime homes and wheelchair homes  
DP16 The 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  
DP24 Securing high quality design  
DP25 Conserving Camden's Heritage  
DP26 Managing the impact of development on occupiers and neighbours  
DP27 Basement and lightwells  
DP28 Noise and vibration

## DP29 Improving access

CPG1 Design (2015; Section 2, 3, 4 and 5)

CPG2 Housing (2015; Section 4)

CPG4 Basement and lightwells

CPG6 Amenity (2011; Section 2,3,4,5,6 and 9)

## Emerging Local Development Plan (2016)

The emerging Camden Local Plan is reaching the final stages of its public examination. Consultation on proposed modifications to the Submission Draft Local Plan began on 30 January and ends on 13 March 2017. The modifications have been proposed in response to Inspector's comments during the examination and seek to ensure that the Inspector can find the plan 'sound' subject to the modifications being made to the Plan. The Local Plan at this stage is a material consideration in decision making, but pending publication of the Inspector's report into the examination only has limited weight. The relevant policies are;

A1 (Managing the impact of development)

A5 (Basements)

D1 (Design)

D2 (Heritage)

H1 (Maximising housing supply)

H6 (Housing choice and mix)

T2 (Parking and car-free development)

## Assessment

### 1.0 Proposal

1.1 Planning permission is sought to convert the single family dwelling into two units (1 x 4 bedroom and 1 x 1 bedroom flats). The 1 bed flat would be contained within the lower ground floor and the four bed unit would extend from upper ground floor to three floor levels above. No vehicular parking spaces are proposed. One cycle parking space would be provided within the front vault area at lower ground floor level and one would be provided within the ground floor courtyard area at the rear. The existing entrance onto the street is proposed to be retained; and a new front entrance into the basement area is proposed.

1.2 The proposal includes the following specific details;

Proposed Lower Ground Floor Level:

- Introduction of stud partitions to create bathroom and separate the front and rear room – to include removal of section of dividing wall
- Block off existing staircase with new partition
- Works to ground slab; digging of a trench for drainage
- Alteration to vaults to create store – insertion of new doors
- Replace existing external door and wall to create separate new entrance to unit
- Installation of metal staircase within lower ground floor front lightwell area and alteration to railings from street level to incorporate a new entrance gate

Ground Floor Level:

- Retention of existing double doors between front and rear room
- Retain existing configuration and detailing
- Insertion of glazed balustrading to rear light well

First Floor Level:

- Original double doors between front and rear rooms retained but fixed shut

Second and Third Floor Level:

- Layout remains unaltered

1.3 This submission is a revised proposal following the refusal of the previous scheme. The changes between the refused scheme and the current application are:

- Reduction in the number of units from 5 to 2
- Removal of the single storey extension
- Reduction in internal alterations required to undertake the conversion

## **2.0 Assessment**

2.1 The main planning considerations relate to:

- Land Use;
- Standard of proposed residential accommodation;
- Design;
- Amenity; and
- Transport and parking implications.

## **3.0 Land Use**

3.1 The proposal includes the conversion of the existing single family dwelling into two self-contained flats. The CAAC has objected to the loss of the single family dwelling however the proposal would still provide a 4 bed dwelling on the upper floors. Core Strategy policy CS6 states that the Council will seek to maximise the supply of homes and minimise their loss, as housing is considered to be the priority land use of the Camden Local Development Framework. The principle is considered acceptable as it will create a new residential unit and will therefore comply with the policy CS6 and DP2 – Making full use of Camden’s Capacity for housing.

3.2 The Council acknowledges that there is a need and/or demand for dwellings of every size, however, Camden will focus and prioritise provision around the very high and high priority sizes. Set out in Policy DP5, the Dwelling Size Priorities Table identifies market homes with 1 bedroom of low priority, 3 and 4 bedroom units of medium priority and 2 bedroom units of high priority. The Council would expect at least 40 per cent of market housing to provide 2 bedroom units.

3.3 The proposal would result in 1 x 4 bedroom flat and a 1 x 1 bedroom flat. It is considered that the proposed mix of unit sizes will contribute to the creation of mixed and inclusive communities by containing a mix of 1 large and 1 small home overall, in accordance with criterion DP5(b).

## **4.0 Standard of Accommodation**

4.1 It is a core planning principle of the NPPF (paragraph 17), the London Plan (policy 3.5), and the LDF (paragraph 26.11) that the size of a dwelling and its rooms, as well as its layout, will not have an adverse impact on the amenity of its occupiers.

4.2 The proposal meets the internal space standards as set out in the Nationally Prescribed Space Standards and the Housing Standards Minor Alterations to the London Plan adopted March 2016. As such with respect to room size the proposed units are considered acceptable.

### Sunlight/daylight

4.4 In assessing proposals which involve the creation of self-contained units located entirely

below ground level, adequate levels of residential amenity need to be provided. A Daylight and Sunlight Assessment prepared by Eco Draw dated 8<sup>th</sup> March 2017 accompanies the application and concludes that both the bedroom and the living /kitchen/dining room of the lower ground floor flat would not comply with all the required daylight standards (*as specified in the Building Research Establishment (BRE) Site Layout for Daylight and Sunlight – A Guide to Good Practice (1991)*).

4.5 The report makes use of 4 standards in the assessment of proposed daylight and sunlight levels:

- Vertical Sky Component (VSC) - A measure of the amount of sky visible at the centre of a window.
- Daylight Distribution (DD) - The area at desk level inside a room that will have a direct view of the sky
- Average Daylight Factor (ADF) - A measure of the ratio of the luminance in a room to the external unobstructed sky
- Annual Probable Sunlight Hour (APSH) - A measure of the amount of sunlight that windows within 90 degrees of due south receive and a measure of the number of hours that direct sunlight reaches unobstructed ground across the whole year and also as a measure over the winter period

4.6 ADF and DD are the most appropriate measurements for assessing daylight in new and converted dwellings. VSC measurements are more useful for assessing the impact of new buildings on existing dwellings. The results for the lower ground floor unit are summarised in the below table.

BRE TEST	Bedroom		Living room	
	Target	Achieves	Target	Achieves
ADF	1.0%	2.02%	1.5%	1.24%
DD	80%	66%	80%	71.6%
VSC	27%	9.96%	27%	20.6%
APSH	N/A		PASS	

#### 4.7 Bedroom

The bedroom greatly exceeds the minimum ADF target, though fails to meet the minimum recommended DD test and is below minimum VSC levels. The bedroom window is not within 90 degrees of due south and as such is exempt from the APSH test.

#### 4.8 Living/kitchen/dining room

The living room fails to meet the minimum ADF target of 1.5%, achieving 1.24%. Whilst the failure is acknowledged as relatively minor 1.5% is a minimum standard set by the BRE guidelines. The room achieves 71.6% DD which is below the recommended 80%. The VSC level of 20.6% although below 27% is still considered to be a reasonable level of daylight for an urban setting for this particular test. The living room passes the APSH test.

4.9. Although the daylight failures could be considered relatively minor; due to unit being located entirely below ground level and comprised of only these two rooms, the resulting daylight conditions and their impact on amenity must be considered in this context, together with the quality of outlook provided.

#### Outlook

4.10 The proposed lower ground floor unit is served by two windows entirely below ground level;

one to the living room to the front and one to the rear bedroom. The front view would be directly onto the front boundary wall, situated 2m from the window and new staircase; with the rear view onto the existing rear stairs, cut into and leading up to ground floor, which would be fenced by a balustrade.

4.11 The available outlook from both windows is considered to be exceptionally poor, allowing little if any relief from within the unit other than enclosed views into a blank wall or staircase. As the only two windows serving the unit it is considered that the resulting enclosed outlook would compromise residential amenity to the extent that it would result in an unacceptably enclosed and oppressive living environment for future occupiers. The application is therefore recommended for refusal on this basis.

### Layout

4.12 The layout and placement of rooms within the building should be carefully considered to limit the impact of external noise on bedrooms and living rooms. The impact of noise should also be considered in the placement of private external spaces. In this case, the proposal has included vertical sacking, which is preferred to reduce the impact of noise disturbance between the properties. This is therefore considered to be adequate in this respect.

4.13 With regards to the internal layout of each individual unit, it is preferred that there is a permanent partition between eating and sleeping areas. Whilst kitchens and living areas that are permanently separated are preferable, combined kitchen and living areas are considered acceptable. In this circumstance, the units are considered to be acceptable with regards to the internal layout, all having separate sleeping and eating areas.

## **5.0 Character, appearance and design**

5.1 Achieving high quality design and considering the impact upon the host building, street scene and the wider context are requirements of policies CS5 'Managing the Impact of Growth and Development', CS14 'Promoting High Quality Places and Conserving our Heritage', DP24 'Securing High Quality Design', DP25 'Conserving Camden's Heritage'.

5.2 No. 1 St Chad's Street is a Grade II listed building, and is located within the Kings Cross St Pancras Conservation Area. During officers site visit it was evident that some features of the building have been lost through works undertaken without listed building consent. These include, but are not limited to; the insertion of a modern front door, a glazed door within the entrance hall, blocking up the decorative elements within the hallway, uPVC door and windows installed within the light well at basement level and conversion of the one vault to a bathroom. Although these works have been undertaken the building still undoubtedly contributes to the townscape and surrounding conservation area. An enforcement case has been open to investigate these unauthorised works.

5.3 The internal works required to convert the existing single residential dwelling into 2 units would not result in harm to the historic fabric of the listed building and are considered a much more appropriate intervention, than the works proposed under the recently refused scheme (2016/1227/P).

5.4 Cumulatively it is considered that the proposal will not adversely impact upon and or cause harm to the historic fabric, plan form, character and appearance of the listed building and the character and appearance of the Conservation Area. However, conditions are recommended to ensure correct detailing and craftsmanship of internal alterations.

5.5 In particular, with regards to the vaults, no details have been provided to show any changes other than as existing. A condition is recommended to ensure that any works to the vaults are sympathetic to the traditional construction of the vaults.

5.6 Finally in relation to the proposed balustrade to the rear light well it is considered that the proposed glass is not considered to be acceptable as submitted in term of its impact on the special interest of the listed building and by further restricting outlook from the lower bedroom window. However, a condition of is recommended to be attached to the Listed Building approval requiring the submission and approval of details of a more historically sympathetic and visually permeable balustrade.

5.7 With the imposition of appropriate conditions it is considered that no harm would be caused to the special interest listed building and there would be no adverse impact on the wider conservation area.

## **6.0 Neighbouring Amenity**

6.1 Policy CS5 (Managing the impact of growth and development) seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered. Furthermore, Policy DP26 (Managing the impact of development on occupiers and neighbours) seeks to ensure that development protects the quality of life of occupiers and neighbours by only granting planning permission to development that would not harm the amenity of neighbouring residents. This includes privacy, outlook, daylight and sunlight.

6.2 CPG6 (Amenity) provides specific guidance with regards to privacy, overlooking and outlook.

6.3 The majority of the alterations for the proposal would be internal; these are not considered to create any additional concerns in terms of privacy and overlooking or sense of enclosure to neighbouring properties. The external alterations including the installation of a balustrade at the rear ground floor level and installation of spiral staircase from basement to ground floor level to the front lightwell would not result in any harmful impact to the amenity of the adjoining occupiers.

## **7.0 Transport, Access and Parking/Waste**

### *Transport*

7.1 Policy DP18 states that the Council expects new developments in areas of high on-street parking stress to be either car free or car-capped in the event that they would add greater pressure to highways. The reasons for this are to facilitate sustainability, help promote alternative, more sustainable methods of transport and stop the development from creating additional parking stress and congestion.

7.2 The application site is located within an area well-served by public transport, with a PTAL rating of 6a. The Council therefore require the development to be car-free, in the absence of an s.106 agreement this is included as an additional further reason for the refusal of planning permission.

7.3 The London Plan sets out minimum standards for the provision of cycle parking, and requires 1 cycle parking space per 1 bedroom unit and 2 cycle parking spaces per 2+ bedroom units. Three new cycle parking spaces would be required to be provided. There is considered appropriate cycle parking space to accommodate these requirements.

### *Refuse/Waste*



7.4 It is considered that the site would be able to accommodate an appropriate waste/refuse area. The plans have shown details of bins in the lower ground floor vault and in the courtyard area at the rear at ground floor level.

## **8.0 Conclusion**

8.1 The proposed lower ground floor unit is not considered to provide an acceptable standard of residential accommodation with respect to the amenity of future occupiers. The unit overall would fail to provide adequate daylight or outlook resulting in an enclosed and oppressive living environment to the detriment of future occupiers. The proposal is therefore contrary to policies CS6 *Providing quality homes* and Policy DP26 *Managing the impact of development on occupiers and neighbours*.

8.2 In the absence of a section 106 legal agreement securing the development as car free, the proposal is also contrary to policy DP18 *Parking standards and limiting the availability of car parking*.

## **9.0 Recommendation**

9.1 Refuse Planning Permission.

9.2 Grant conditional listed building consent.