

Delegated Report		Analysis sheet	Expiry Date:	04/12/2017
		N/A / attached	Consultation Expiry Date:	16/11/2017
Officer			Application Number(s)	
Rachel English			2017/4707/P	
Application Address			Drawing Numbers	
13 Leeke Street London WC1X 9HY			See draft decision	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Demolition of existing building and erection of new three storey building with brick facade and erection of a two storey roof and rear extension. Change of use from residential house (Use class C3) to office space (Class B1) in conjunction with the existing use at 5-11 Leeke Street.				
Recommendation(s):		Refuse planning permission		
Application Type:		Full Planning Permission		

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	00	No. of responses	00	No. of objections	00
			No. electronic	00		
Summary of consultation responses:	<p>Two site notices displayed from 25/10/2017 until 15/11/2017 Press notice displayed from 26/10/2017 until 16/11/2017</p> <p>No responses received</p>					
CAAC/Local groups* comments: *Please Specify	<p>Kings Cross CAAC – no response received</p> <p>TfL have no objections to the proposal but seek the following conditions:</p> <ul style="list-style-type: none"> - The site of the proposed development is adjacent to Kings Cross Road, which forms part of the Transport for London Network (TLRN). TfL is the highway authority for the TLRN and is therefore concerned about any proposal which may affect the performance and/or safety of the TLRN. Therefore no skips or construction material shall be kept on the footway or carriageway of the TLRN at any time. - TfL welcomes the submission of a draft Construction Management Plan (CMP). A full CMP should be secured by condition. - The proposal creates an additional 97sqm of office (Use Class B1) space. Therefore, according to the London Plan an additional long-stay cycle parking should be provided. This should be secured by condition. <p>London Underground Infrastructure Protection have no comments to make.</p> <p>Network Rail – has the following informative comments:</p> <p>The developer must ensure that their proposal, both during construction and after completion of works on site, does not:</p> <ul style="list-style-type: none"> • encroach onto Network Rail land • affect the safety, operation or integrity of the company’s railway and its infrastructure • undermine its support zone • damage the company’s infrastructure • place additional load on cuttings • adversely affect any railway land or structure • over-sail or encroach upon the air-space of any Network Rail land • cause to obstruct or interfere with any works or proposed works or Network Rail development both now and in the future 					

The developer should comply with the following comments and requirements for the safe operation of the railway and the protection of Network Rail's adjoining land with regard to

- Future maintenance
- Drainage
- Plant & Materials
- Scaffolding
- Piling
- Fencing
- Lighting
- Noise and Vibration
- Vehicle Incursion

Site Description

The site contains a two storey, slim building with mono-pitched roof with a lawful use ~~for~~ as a single family dwelling house. It is located on the south side of Leeke Street, in between Kings Cross Road and Wicklow Street.

The building is not listed but it is located within the Kings Cross conservation area. The Kings Cross Conservation Area Statement lists number 5-13 Leeke Street as making a positive contribution to the special character and appearance of the area. The application site is number 13 Leeke Street. As the Conservation Area Statement was adopted in 2003, and a new replacement building (replacing former garages) was erected on the site in 2011. The current building is considered to make a contribution to the conservation area by the fact that it is attached to no. 5-13 Leeke Street that is identified as a positive contribution to the Conservation Area.

The site is located within the Central London Area and within a viewing corridor from Kenwood viewing gazebo to St Paul's Cathedral.

Relevant History

2009/3522/P: Replacement of existing single glazed windows and apertures behind roller shutters with new double glazed windows at ground floor level to Nos.9-13 (Class B1). GRANTED 20/10/2009

2010/0057/P: Change of use of side extension/garage of Class B1 building to create a two storey 1 bedroom house (Class C3). GRANTED SUBJECT TO SECTION 106 LEGAL AGREEMENT 15/04/2010

2010/5726/P - Variation of condition 4 (development to be carried out in accordance with approved plans) of planning permission ref. 2010/0057/P (dated 15/04/2010) to allow for minor material amendment comprising changes to the rear part of the roof and the installation of an air source heat pump. GRANTED 21/12/2010

Relevant policies

Camden Local Plan 2017

G1 Delivery and location of growth
H1 Maximising housing supply
H3 Protecting existing homes
H7 Large and small homes
C5 Safety and security
C6 Access for all
CC4 Air Quality
E1 Economic Development
E2 Employment premises and sites
A1 Managing the impact of development
A4 Noise and vibration
D1 Design
D2 Heritage
T1 Prioritising walking, cycling and public transport
T2 Parking and car-free development
T3 Transport infrastructure
T4 Sustainable movement of goods and materials
DM1 Delivery and monitoring

Kings Cross Conservation Area Statement 2003

Pages 43, 45-46, 53, 56-57

Camden Planning Guidance

CPG1 Design 2015 – chapters 1, 2, 3, 4, 5

CPG2 Housing 2015 – chapters 1, 4, 6

CPG6 Amenity 2011 chapter 6, 7, 8

CPG7 Transport 2011

CPG8 Planning obligations 2011

Interim Camden Planning Guidance November 2017 – CPG Documents are being reviewed in the first phase to support the effective delivery of the Local Plan (adopted July 2017)

CPG Housing

CPG Amenity

CPG Employment sites and business premises

London Plan 2016

Mayor of London Housing Supplementary Planning Guidance March 2016

NPPF 2012

Assessment

Proposal

Planning permission is sought for the change of use from residential house (Use class C3) to office space (Class B1) in conjunction with the existing office use at 5-11 Leeke Street. Both 5-11 and 13 Leeke Street are in the same ownership (Paul Hamlyn Foundation- a registered charity). The applicant seeks to extend the existing offices at 5-11 Leeke Street into the application site at number 13 to create additional meeting rooms. Also proposed is the demolition of the existing building and installation of a new brick front facade and erection of a two storey roof and two storey rear extension. The roof and rear extensions would be of contemporary design constructed using brick. The extensions would add 44sqm bringing the office annex floorspace to 97sqm and total office for 5-13 Leeke Street to 941sqm.

The material planning considerations in relation to this application are:

- Landuse
- Standard of residential accommodation
- Amenity
- Design and impact on the conservation area
- Transport and highways contributions

Landuse

Planning permission was granted for the new 2-bed dwellinghouse at the application site in 2010 (ref 2010/0057/P). Council tax records show that Council tax has been paid for the residential use since May 2011. The applicant states in the Planning Statement that building “does not meet the needs of existing and future households”

Policy H3 aims to ensure that existing housing continues to meet the needs of existing and future

households by resisting development that would involve a net loss of residential floorspace. Policy H1 states that self-contained housing is the priority land use of the Local Plan. London Plan Policy 3.14B requires Boroughs to resist the net loss of housing provision unless it is re-provided to equivalent or better standard. The proposals would result in the loss of 43.2 sqm of residential floorspace in order to convert to office floorspace. This would be contrary to the aims of policies H1 and H3 and London Plan Policy 3.14B. Chapter 6 of Camden Planning Guidance 2 (Housing) says that “the projected growth in the number of households exceeds the anticipated supply of additional homes. The Council therefore seeks to minimise the net loss of existing homes.”

The proposal involves the creation of 95sqm of office accommodation to extend the existing offices at 5-11 Leeke Street. Policy E2 encourages the provision of employment premises and sites in the Borough however housing is considered to be the priority land use of the Borough therefore the loss of residential floorspace is unacceptable.

The submitted Planning Statement considers the existing use to be “unviable” and has submitted a letter from the previous owner of the property to illustrate the problems that previous tenants have had. No formal marketing information from a registered letting or estate agent has been submitted with the application that demonstrates the long-term vacancy or undesirability of the residential unit.

Standard of residential accommodation

The applicant considers that the use has “failed as a residential unit” and was substandard when it was built and is unsustainable. The applicant considers that this is due to it being single aspect, and the usable internal area being only 40sqm without any amenity space. The delegated report for the approval of the scheme in 2010 discussed the size and at the time of the decision the proposal met the Council’s minimum floor area requirement for a 1 person dwelling which was 32sqm however did not meet the requirement for a 2 person dwelling at 48sqm. However on balance it was considered that as the proposal included a bedroom which measured 11.9 sqm, the scheme was considered to have enough internal space to accommodate two people.

Table 1 of the DCLG Nationally Described Space Standards (introduced in 2015) state that 2 storey dwellings with 1 bedrooms should be 58sqm GIA. From measuring the submitted drawings the ground and first floors each have a GIA of 21.6sqm. Therefore the total floor area of the existing 1-bed unit is 43.2sqm. It is recognised that the current residential unit does not meet the 58sqm for a 2 storey dwelling however it does meet the Standard in paragraph 10 of the DCLG Space Standards which states that one double bedroom is at least 2.75metres wide. In this case, the bedroom is 3.4metres wide therefore easily exceeding the standards. Whilst the overall proposed floor areas of the maisonette is below the recommended size, it is considered that within this Central London location, within 5 minutes’ walk of King’s Cross Station, the unit provides satisfactory habitable accommodation.

The appellant cites anti-social behaviour on the street as limiting of the viability of the use. A letter from a property manager has been submitted with the application that describes anti-social problems associated with the street, which previous tenants of the application site have experienced. The applicant cites that the lack of amenity space and north facing, single aspect being a reason for the lack of interest in anyone wanting to live in the property. Planning permission was granted only in 2010 and the provision of an adequately sized residential unit in this location is considered key for this site. Whilst the fact the site is single aspect and doesn’t have amenity space are less desirable for the residential accommodation they would not necessarily be reasons to refuse the scheme if it were to come forward as a planning application for new residential accommodation now. It is considered that the provision of a one bed unit in this location within the Central London area and so close to a major transport hub should be retained in order to help to meet the Council’s key policy of providing housing.

Table 1 in the Camden Local Plan identifies market 1-bedroom units as a lower priority for the council

but policy H7 recognises that developments should contribute to the creation of mixed and inclusive communities. This is considered apt for this site considering its location in Central London.

Design and impact on the Conservation Area

The Council's design policies are aimed at achieving the highest standard of design in all developments. The following considerations contained within policy D1 are relevant to the application: development and should consider the character, setting, context and the form and scale of neighbouring buildings, and the quality of materials to be used. Policy D2 'Conserving Camden's Heritage' states that within conservation areas, the Council will only grant permission for development that 'preserves and enhances' its established character and appearance.

Paragraph 6.4 of the Kings Cross Conservation Area Statement says that changes of use such as from residential to office may have implications for the character and appearance of the area.

The proposals involve the demolition of the existing façade (built in 2011), the erection of an additional storey facing Leeke Street with additional mass in the form of a two storey extension added to the rear. This would all be brick constructed. Whilst there is no objection in principle to the demolition of the existing façade or the bulk and height of the rear and roof extensions, the height and detailed design of the front facade is considered incongruous and unsuitable for this location adjacent to numbers 5-11 Leeke Street which is designated as making a positive contribution to the Conservation Area. The existing building is two storey's in height and is subservient in height to the adjoining building. The proposed three storey building would be overly dominant when viewed from the street against the context of the neighbouring property at no. 5-11 and would be considered harmful to the character and appearance of the this property and the surrounding streetscene. The proposed brick façade with louvres would lack street presence and the general scale and architectural proportions of the front elevation would be out of keeping. The proposed height of the ground floor would be excessive and would not relate to the adjoining buildings. As such the proposals would be contrary to the aims of policies D1 and D2 of the Local Plan 2017.

Whilst the site is located within a viewing corridor from Kenwood viewing gazebo to St Paul's Cathedral, the proposals would not be of any height that would affect this.

Amenity

Policy A1 seeks to ensure that development protects the quality of life of occupiers and neighbours by only granting permission to development that would not harm the amenity of neighbouring residents. This includes privacy, outlook, daylight and sunlight, as well as noise and disturbance.

Due to the location of the site and height of the building, the proposals would not have an adverse impact on the privacy or daylight and sunlight afforded to the adjoining properties or residential flats opposite. The proposal would be considered acceptable in terms of the amenity of the neighbouring properties in terms of privacy and daylight and sunlight.

Transport and highways

The proposals includes the use of a façade of openable brick screens which sit in front of the windows and can be operated to open and close as required. At ground floor level these screens would open outwards onto the public highway (footway) and block the way for passing pedestrians. This has been removed from the proposals on the CGIs but has not been removed from the ground floor plan. Concerns are raised that the narrow pavement which be blocked when the doors open onto the pavement which would force pedestrians into the carriageway and be a pedestrian hazard. At first and second floors the brick screens would still overhang the footway when open. As these do not extend beyond the footway into the carriageway they are considered acceptable.

Policies A1 and T4 of the Local Plan state that Construction Management Plans should be secured to demonstrate how a development will minimise impacts from the movement of goods and materials during the construction process (including the demolition works). The policies also relate to how development is connected to the highway network. For some developments, this may require control over how the development is implemented (including demolition and construction) through submission of a Construction Management Plan (CMP).

In line with Policy A1 of the adopted Local Plan, as the proposed development comprises demolition and construction within the Central London area a Construction Management Plan (CMP) and CMP Implementation Support Contribution of £3,136 should be secured by means of a Section 106 Agreement. A draft CMP has been submitted in support of the development but this is completely lacking in detail. A fully completed CMP will need to be submitted for review once a principal contractor has been appointed and prior to any works commencing on site. The road is narrow and at present blocked off to vehicles on the railway bridge close to the site therefore vehicles would struggle to turn around on the street. If the proposals were considered acceptable in land use and design terms then the Council would seek to secure a detailed Construction Management Plan via S106 legal agreement. In the absence of such a legal agreement this forms a further reason for the refusal of the application. An informative will also specify that without prejudice to any future application or appeal, this reason for refusal could be overcome by entering into a legal agreement in the context of a scheme acceptable in all other respects.

As the proposal involves 95sqm of office floorspace uplift the London Plan requires 1 cycle parking space per 90sqm. As a result two cycle parking spaces are required as part of the scheme. If the scheme was considered acceptable then the LPA would seek details of two cycle parking spaces by condition.

Paragraph 6.11 of the Local Plan states that the Council will repair any construction damage to transport infrastructure or landscaping and reinstate all affected transport network links, road and footway surfaces. Given the limited extent of the site frontage and the fact that any damage to the footway would be covered by the bond secured as part of the scaffolding licence, it is considered that a Section 106 highways contribution is unnecessary in this instance.

Recommendation

Refuse planning permission