

<b>Delegated Report</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>		<b>17/07/2020</b>	
		N/A		<b>Consultation Expiry Date:</b>		26/07/2020	
<b>Officer</b>				<b>Application Number(s)</b>			
Adam Greenhalgh				2020/2247/P			
<b>Application Address</b>				<b>Drawing Numbers</b>			
Albany House 41 Judd Street London WC1H 9QS				See 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>							
Erection of a roof extension to provide 1 x 2-bedroom flat and 1 x 3-bedroom flat.							
<b>Recommendation(s):</b>		Refuse planning permission					
<b>Application Type:</b>		Full planning permission					
<b>Conditions or Reasons for Refusal:</b>		Refer to Decision Notice					
<b>Informatives:</b>							
<b>Consultations</b>							
<b>Adjoining Occupiers:</b>		No. of responses		<b>0</b>	No. of objections		<b>2</b>
		No. electronic		<b>0</b>			
<b>Summary of consultation responses:</b>		Site notice: 01/07/2020 – 25/07/2020 Press notice: 02/07//2020 – 26/07/2020  Two objections were received (from unknown addresses). The objections relate to private estate management issues (ground rents, service charges) and construction management issues (how long will construction take, will compensation be made for disruptions). These are not matters upon which planning applications for new development can be decided.					
<b>CAAC/Local groups comments:</b>		No comments received.					
<b>Site Description</b>							
Albany House is a sunken L-shaped red brick, pitched roof six storey building located on the west side of Judd Street at the junction with Tavistock Place. The application property adjoins the five storey buildings of Macnaghten House to the North and Knolly's House (No. 39 Tavistock Place) to the west. The surrounding area comprises similar medium storey brick mansion blocks.  The established use of the building comprises self-contained flats.							

The building itself is not listed, but it does form part of Bloomsbury Conservation Area. It is identified as being a positive contributor to the character and appearance of the conservation area (sub area 13) (Non-designated heritage asset).

The application essentially relates to the top floors which has pitched roofs with dormer windows onto Judd Street and Tavistock Place and red-brick gable end at the junction between the two roads.

### Relevant History

2011/6024/P	Albany House 41 Judd Street London WC1H 9QS	Erection of a three storey rear extension on top of existing extension at first floor level to accommodate the creation of 3 x self contained studios (Class C3) at second, third and fourth floor level and associated works.	FINAL DECISION	05-12-2011	Refused
2011/4707/P	Albany House 41 Judd Street London WC1H 9QS	Erection of new mansard roof extension (introducing a double mansard) with four dormer windows on the front (south) elevation and 7 windows on the rear (north) elevation to provide 2 (1 x 1 bed room & 1 x studio) self contained flats (class C3), and associated alterations including provision of 4 green roof areas.	FINAL DECISION	18-11-2011	Refused
2010/4317/P	Albany House 41 Judd Street London WC1H 9QS	use of whole building as 102 self-contained studio apartments and 3 self-contained one bedroom flats.	FINAL DECISION	20-08-2010	Granted

### Relevant policies

#### National Planning Policy Framework (2018)

#### The London Plan March 2016 and Draft London Plan July 2017

##### Camden Local Plan 2017

Policy H1 Maximising housing supply  
 Policy H4 Maximising the supply of affordable housing  
 Policy H6 Housing choice and mix  
 Policy C5 Safety and security  
 Policy C6 Access for all  
 Policy A1 Managing the impact of development  
 Policy A4 Noise and vibration  
 Policy D1 Design  
 Policy D2 Heritage  
 Policy CC1 Climate change mitigation  
 Policy CC2 Adapting to climate change  
 Policy CC3 Water and flooding  
 Policy CC4 Air quality  
 Policy CC5 Waste  
 Policy T1 Prioritising walking, cycling and public transport

Policy T2 Parking and car-free development  
**Camden Planning Guidance** Adopted March 2018:  
CPG Housing (interim)  
CPG 2 Housing May 2016 updated March 2018)  
CPG Amenity

Adopted Prior:  
CPG 6 Amenity ( September 2011 updated March 2018)  
CPG 8 Planning obligations (July 2015 updated March 2018)

## **Bloomsbury Conservation Area Appraisal and Management Strategy 2011**

### **Assessment**

#### **1.0 PROPOSAL**

- 1.1 Planning permission is sought for the erection of an extension at roof level, behind the existing pitched roofs on Judd Street and Tavistock Place, to provide an additional storey of accommodation comprising two flats (1 x 1 bedroom and 1 x 2 bedroom). An existing 6<sup>th</sup> floor part at the rear (10.5m x 4m) would be demolished. The extension would be built on the existing flat roofed areas (predominantly behind the pitched roofs on Judd Street and Tavistock Place) and they would involve the raising of both pitched roofs (to achieve head height). On the south (Tavistock Place) elevation a 19m wide stretch would be increased by 3.25m in height (set back 3m from the frontage) and on the west (Judd Street) elevation a 19m stretch would be increased in height by 2m, behind the main roofslope, 7.5m from the front elevation. A The proposal would occupy the area of the flat roof on the existing 5<sup>th</sup> floor, and an existing flat roofed area close to no. 39 Tavistock Place would be made into a terrace. The proposed elevations show a 2.5m sq brick plant room on top of the new extension. The additional storey would be flat roofed and 3m in height.
- 1.2 The proposal would provide a 51.4 sq m 1 bed 2 person flat and a 89.6 sq m 2 bed 3 person flat. The 2 bedroom flat would have a 14.7 sq m terrace on the flat roof of a 6 storey element at the rear and it would also have a 26.8 sq m terrace behind the existing pitched roof on the Tavistock Place elevation. The proposed extension would predominantly be of grey zinc cladding with abundant glazing.

#### **2.1 ASSESSMENT**

The material considerations for this application are summarised as follows:

- Design and Conservation
- Amenity of neighbouring residential occupiers
- Mix and quality of accommodation
- Affordable housing
- Transport/highway issues
- Mayor of London's Crossrail CIL and Camden's CIL

#### **2.2 Design and Conservation**

2.2.1 Local Plan Policies D1 (Design) and D2 (Heritage) are aimed at achieving the highest standard of design in all developments. Policy D1 requires development to be of the highest architectural and urban design quality, which improves the function, appearance and character of the area; and Policy D2 states that the Council will preserve, and where appropriate, enhance Camden's rich and diverse heritage assets and their settings, including conservation areas and listed buildings.

2.2.2 Para 5.4 of the Bloomsbury Conservation Area Appraisal and Management Strategy 2011 advises

that roof level extensions can be inappropriate, particularly where these interrupt the consistency of a uniform terrace or the prevailing scale and character of a block, or are overly prominent in the street.

2.2.3 Within the Heritage section of the Council's Planning Guidance SPD it is noted that 'The Council will only permit development within Conservation Areas that preserves and where possible enhances the character and appearance of the area'. For non-designated heritage assets such as the application building, 'The Council will protect non-designated heritage assets. The effect of a proposal on the significance of a non-designated heritage asset will be weighed against the public benefits of the proposal, balancing the scale of any harm or loss and the significance of the heritage asset'.

2.2.4 Albany House was built as a hospital building as part of this redevelopment. It is a fine example of classically-inspired muscular Edwardian architecture. The building is well proportioned. It is identified as a positive contributor (Non-Designated Heritage Asset) within the Bloomsbury Conservation Area Appraisal document.

2.2.5 The building occupies a visually open location on the NW corner of the junction between Judd Street and Tavistock Place. This location gives rise to the host building being prominent in near and longer vistas along both roads. This results in the roof extension being as visually prominent as the lower sections of the roof. However rather than appearing grounded and part of the building - as the existing roof clearly is – the proposed extension appears to 'jar' as an incongruous addition to the roof.

2.2.6 The current roof is simple even with its evenly located dormer casements. A clean termination to the building. Brick elevations and roof – they make an aesthetically pleasing assembly. The addition is an imposition and disrupts the aesthetic of the existing building. As before the addition of a partial roof extension disrupts the quasi-symmetry of the east (front) elevation of the building

2.2.7 It is acknowledged that the proposal represents an amendment of the initial proposal which was submitted for the application. However, the current proposal is still considered to represent an incongruous addition that would be at odds with the architectural language of the host building and the Conservation Area. It therefore causes harm to the CA as a result of the incongruous addition, albeit that harm is less than substantial.

2.2.8 Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area under s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013. For the combination of reasons set out above the proposed development would fail to preserve or enhance the character and appearance of the host building and wider Bloomsbury conservation area.

### 2.3 Amenity of neighbouring residential occupiers

2.3.1 Policy A1 seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered. It seeks to ensure that development protects the quality of life of occupiers and neighbours by only granting permission for development that would not harm the amenity of neighbouring residents. This includes privacy, overlooking, outlook and implications on daylight and sunlight. CPG - Amenity provides specific guidance with regards to privacy, overlooking and outlook.

2.3.2 The site is adjoined by a solid party wall to the east and there are no adjoining flats at the level of the proposal at 39 Tavistock Place. There are no dwellings with windows facing the site on the adjoining building on Judd Street Macnaghten House, 55 Judd Street). Given the distance (15m + to the nearest facing windows (in the wing at the rear of Mcnaghen House and on the other sides of Judd Street and Tavistock Place) the proposal would not result in any significant loss of light, privacy or outlook for any neighbouring occupiers.

### 2.4 Mix and quality of residential accommodation

2.4.1 Policy H7 of the Local Plan seeks to ensure that all housing development contributes to

meeting the priorities set out in the Dwelling Size Priorities Table (below) and includes a mix of large and small homes.

**Table 1: Dwelling Size Priorities**

	1-bedroom (or studio)	2-bedroom	3-bedroom	4-bedroom (or more)
Social-affordable rented	lower	high	high	medium
Intermediate affordable	high	medium	lower	lower
Market	lower	high	high	lower

2.4.2 The proposal would comprise 1 x 2 bed market unit and 1 x 1 bed market unit. It would therefore make a contribution to the Council's dwelling size priorities. Therefore, no objection is raised to the proposed mix of housing, which would fulfil the requirements of Policy H7

2.4.3 The proposed units would either meet or exceed the space standards as set out in the London Plan space standards table, and as such are considered acceptable in respect of unit size.

## 2.5 Affordable Housing

2.5.1 Policy H4 requires a proportion of new dwellings to be affordable in accordance with a sliding scale. Targets are based on an assessment of development capacity whereby 100sqm (GIA) of housing floorspace is generally considered to create capacity for one home. Targets are applied to additional housing floorspace proposed. A sliding scale target applies to developments that provide one or more additional homes and have capacity for fewer than 25 additional homes, starting at 2% for one home and increasing by 2% of for each home added to capacity.

2.5.2 On the basis of 141 sq m of additional housing floorspace proposed, this would result in a requirement for 4% affordable housing, for which a payment-in-lieu would be required. In the absence of a legal agreement or unilateral undertaking to provide a commensurate level of affordable housing the proposal is contrary to policy H4 of the Local Plan.

## 2.6 Transport/highways issues

2.6.1 Policy T2 of the Camden Local Plan states that the Council will limit the availability of parking and require all new developments in the borough to be car-free. The council will not issue on-street parking permits in connection with new development and use legal agreements to ensure that future occupants are aware that they are not entitled to on-street parking permits.

2.6.2 No on-site parking is proposed as part of the current proposal and none of the proposed units would be eligible for on street permits. The car-free requirements would be secured by a legal agreement if the scheme was considered acceptable. In the absence of an acceptable scheme (and hence no section 106 agreement) this becomes a reason for refusal.

2.6.3 Policy T1 of the new Camden Local Plan requires developments to provide cycle parking facilities in accordance with the minimum requirements of the London Plan and the design requirements outlined in CPG7. The Design & Access Statement indicates that spaces will be provided (4) in the flats for fold-up bicycles and this is considered to be acceptable given that the flats would be located on the sixth floor

2.6.4 Highways officers have determined that a Construction Management Plan (CMP) would be required for this scale of development. The verification of its implementation during the Construction Phase would need to be funded by the applicant.

2.6.5 The Design & Access Statement indicates that householders' waste/recycling is stored in underground vaults at the site until collection days. The containers are then moved to the street on collection days. Details of these arrangements could be secured by a planning condition.

## 2.7 Mayor of London's Crossrail CIL and Camden's CIL

2.7.1 The proposal will be liable for both the Mayor of London's CIL and Camden's CIL as the development involves the creation of new dwellings.

## 3.0 **Conclusion**

The proposed roof extension, by virtue of its siting, design and appearance would represent an inappropriate and discordant feature on the building and in the streetscene which would cause harm to the character and appearance of the Bloomsbury Conservation Area. In the absence of legal agreement(s) relating to a contribution to affordable housing and the prevention from obtaining car parking permits the proposal is also contrary to the Council's policies for affordable housing (H4) and car-free development (T2).

## 4.0 **Recommendation**

4.1 Refuse planning permission

