

<b>Delegated Report</b>		<b>Analysis sheet</b>	<b>Expiry Date:</b>	<b>15/06/2021</b>
		N/A / attached	<b>Consultation Expiry Date:</b>	21/06/2020
<b>Officer</b>			<b>Application Number(s)</b>	
Sofie Fieldsend			2021/0175/P	
<b>Application Address</b>			<b>Drawing Numbers</b>	
Flat D, 137 King's Cross Road, London, WC1X 9BJ			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>				
Conversion of a 3 bedroom maisonette into two 1 bedroom flats at lower and upper ground floor levels, demolition of existing rear conservatory at lower ground floor and associated fenestration alterations.				
<b>Recommendation:</b>	Refuse planning permission			
<b>Application Type:</b>	Full Planning Permission			

Conditions or Reasons for Refusal:	Refer to Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	00	No. of responses	02	No. of objections	02
			No. electronic	00	No. of comments	00
Summary of consultation responses:	A site notice was displayed on the 18/05/2021 and the consultation period expired on the 11/06/2021. A press notice was advertised on 19/05/2021 and expired on 12/06/2021.  2 objections were received from neighbouring properties on Swinton Street which can be summarised as follows: <ul style="list-style-type: none"><li>Noise and disturbance from moving the living room and kitchen to the rear of the property.</li></ul>					
CAAC and other community groups	Kings Cross CAAC were consulted and no response was received.					

## Site Description

The site is a three storey mid terrace property with lower ground floor located on the west side of Kings Cross Road that has been subdivided into 4 flats. The application site occupies the ground and lower ground floor.

The site is located within the Kings Cross Conservation Area and, while the building is not listed, it is recognised as making a positive contribution to the character of the conservation area.

## Relevant History

### Application site

**2015/2265/P** - Change of use at part ground floor level from office use to residential use, including alterations to front elevation at ground floor level involving the relocation of the entrance door and associated window replacement. – **Granted 03/06/2015**

## Relevant policies

### **National Planning Policy Framework (2021)**

### **London Plan (2021)**

### **Camden's Local Plan (2017)**

A1 – Managing the impact of development

D1 – Design

D2 – Heritage

T1 - Prioritising walking, cycling and public transport

T2 - Parking and car parking

T4 - Sustainable movement of goods and materials

### **Supplementary Guidance (2021)**

CPG Home Improvements

CPG Design

CPG Amenity

### **Kings Cross / St. Pancras Conservation Area Statement (2003)**

## Assessment

### **1.0 Proposal**

1.1 Planning permission is sought for the following:

- Conversion of a 3 bedroom maisonette into two 1 bedroom flats at lower and upper ground floor levels (one on each floor)
- Demolition of existing rear conservatory at lower ground floor and associated fenestration alterations including insertion of rear door and window.

### **2.0 Assessment**

2.1 The main considerations in relation to this proposal are:

- Land use

- The visual impact upon the character and appearance of the host property, streetscene and Kings Cross conservation area (Design and Character)
- Impact on the amenity of adjoining occupiers

### **3.0 Land Use**

3.1 The proposal includes the subdivision of the existing 3 bed unit into 2 flats both with one bedroom each. The proposed development would increase housing supply in the borough in accordance with policy H1. However, whilst there is a need for additional housing in the borough and the general principle of adding to the housing stock is supported, there are concerns regarding the impact on the amenity of future occupiers which are discussed in detail in the amenity section below.

### **4.0 Design and Appearance**

4.1 Policy D1 of Camden's Local Plan outlines that the Council will require all developments to be of the highest standard of design and will expect developments to consider character, setting, context and the form and scale of neighbouring buildings and the character and proportion of the existing building. In addition it should integrate well with the surrounding streets and contribute positively to the street frontage. Policy D2 states that Council will only permit development within conservation areas that preserves and enhances the character and appearance of the area. This is supported by Camden Planning Guidance (Design and Home Improvements).

4.2 The development will demolish the existing rear conservatory at lower ground floor and insert a rear door and window. No materials for the new fenestration have been included for assessment. However if the development was otherwise acceptable, details of this could be secured by condition and it should be noted that Upvc is not supported for environmental and sustainability reasons as set out in CPG Design. Excluding the unknown materials, the scale, siting and appearance of the new fenestration is acceptable at lower ground floor.

4.3 The external alterations proposed (subject to a condition securing appropriate materials) would not harm the character and appearance of the host property, terrace or wider conservation area.

### **4.0 Amenity**

#### Neighbouring properties

5.1 Local Plan Policy A1 seeks to ensure that the amenity of neighbours is protected including visual privacy, outlook, sunlight, daylight and overshadowing.

5.2 Given the scale and siting of the external alterations, it is not considered to harm the amenity of any neighbouring properties in terms of privacy, light or a sense of enclosure.

5.3 Concerns have been raised about noise and disturbance to neighbouring properties on Swinton Street by locating the living rooms to the rear of the properties. In the existing layout bedrooms occupy the rear of both floors. While there may be a slight increase in noise, the site is located in a busy central London location with a tight urban grain and the objectors do not adjoin the site. Given the above and the separate distance, it is unlikely that the development would result in a material impact in terms of noise to these properties.

#### Future occupiers

5.4 The existing unit will be subdivided to provide two 1bed flats.

Flat	Floor	Unit Size (GIA)	London Plan Minimum GIA	Dual Aspect (Y/N)	Amenity space
D	Ground	41.3sqm (1b/1p)	39sqm	Y	Y
E	Lower Ground	61.15sqm(1b/1p)	39sqm	N	Y

5.5 Local Plan Policy H7 seeks a mix of large and small units. As indicated in para 3.185, large homes are those with 3 or more beds. Policy H7 also indicates that the proposal should contribute to meeting the priorities in the Dwelling Size Priorities Table. For market housing, the priorities given are 2 and 3 bed. The proposal would result in the loss of a high priority 3bed unit and provide two 1 bed flats which are lower priority according to this priority table. This forms a reason for refusal.

5.6 All flats comply with minimum space standards and will have access to private amenity space. However, the lower ground floor flat proposed would not have sufficient access to light and outlook. The lower ground floor would be single aspect with a lengthy combined lounge/kitchen and only a small door and window to the rear garden to provide its light and outlook. The front bedroom would face onto a small internal lightwell lit by the ground floor fixed shopfront above, which would provide poor outlook, no ventilation and most probably poor daylight. It is noted that the front ground floor window is partially frosted for privacy. No daylight/sunlight report has been submitted for assessment and in its absence the Council considers that it is likely that this lower ground floor unit would not have access to sufficient daylight/sunlight.

5.7 The existing internal front lightwell void is open, not enclosed as indicated in the plans. The ground floor unit would continue to look over and down through the openings into the basement floor via this internal void, as it does currently. Even if an internal window and/or glazed floor was proposed to separate the ground floor unit from the lower ground floor unit, it would still allow overlooking directly into the lower ground floor flat from the upper floor and vice versa. The ground floor would also require this 'lightwell' to remain open or be glazed to ensure it does not result in further loss of light or outlook to this unit.

5.8 Concerns have been raised by the Council's Building Control team that the layout of the proposed ground floor flat would not comply with building regulations due to the location of the gallery kitchen which would raise fire safety concerns due to its central location within the flat and no alternative exits in the event of the fire.

5.9 Overall the proposal is considered to provide poor accommodation for future occupiers in terms of light, outlook, ventilation and privacy.

## **6.0 Transport**

6.1 Policy T1 of the Camden Local Plan requires development to provide cycle parking facilities in accordance with the minimum requirements of the London Plan and design requirements outlined in CPG Transport. Three cycle spaces are proposed in the rear garden. To comply with the London Plan, 1 space per studio/1bed and 2 spaces per all other dwelling should be provided. In this instance no cycle parking is provided and, given the space constraints of the site, the Council's Highways Team found this acceptable.

6.2 Policy T2 of the Local Plan requires all new development in the borough to be car-free regardless of PTAL rating, although this site has excellent public transport accessibility- this would be secured by a S106 legal agreement. For car-free developments, the Council will not issue on-street parking permits and will use planning obligations to ensure that future occupants are aware they are not entitled to on-street parking permits. In absence of a S106 securing car-free development, this forms a reason for refusal.

## **7.0 Conclusion**

7.1 In absence of a daylight/sunlight report, it is considered that the proposed lower ground floor flat would not achieve adequate natural light as the front bedroom will be only lit from the ground floor via a small internal lightwell. In addition, this configuration would also result in poor outlook and ventilation to this room. This would be detrimental to the amenity of future occupants, contrary to policy A1 (Managing the impact of development) of the London Borough of Camden Local Plan 2017.

7.2 The proposed layouts around the existing front internal lightwell would result in mutual overlooking and a loss of privacy to the proposed lower ground and ground floor flats, contrary to policy A1 (Managing the impact of development) of the London Borough of Camden Local Plan 2017.

7.3 In the absence of a legal agreement for car-free housing, the proposed development would be likely to contribute unacceptably to parking stress and congestion in the surrounding area and fail to promote more sustainable and efficient forms of transport, contrary to policies T1 (Prioritising walking, cycling and public transport), T2 (Parking and Car Parking) and A1 (Managing the impact of development) of the London Borough of Camden Local Plan 2017.

7.4 The loss of a high priority 3 bedroom unit to provide two lower priority 1 bedroom units would not contribute to the priorities for dwelling sizes within Camden and would also result in the loss of a larger family sized home, contrary to policy H7 (Large and small homes) of the London Borough of Camden Local Plan 2017.

## **8.0 Recommendation**

8.1 Refuse planning permission.