

Delegated Report		Analysis sheet	Expiry Date:	04/11/2021
		N/A / attached	Consultation Expiry Date:	28/11/2021
Officer		Application Number(s)		
Obote Hope		(i) 2021/4358/P (ii) 2021/5222.L		
Application Address		Drawing Numbers		
125 Albert Street London NW1 7NB				
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
<p>(i) Erection of mansard roof extension with terrace to the rear, erection of a full width rear extension following the demolition of the existing ground floor outrigger extension and two outbuildings, together with the change of use of the property to a single family dwellinghouse.</p> <p>(ii) Erection of mansard roof extension with terrace to the rear, erection of a full width rear extension following the demolition of the existing ground floor outrigger extension and two outbuildings; including internal and external restoration all associated with the use of the property as a single family dwellinghouse.</p>				
Recommendation(s):		<ol style="list-style-type: none"> 1. Refuse Full Planning Permission 2. Refuse Listed Building Consent 		
Application Type:		<ol style="list-style-type: none"> 1. Full planning application 2. Listed Building Consent 		

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
Summary of consultation responses:	<p>A site notice was displayed outside the site from 29/10/2021 expiring 22/11/2021.</p> <p>The application was advertised in the local press from the 04/11/2021 expiring 28/11/2021</p>					
Camden CAAC objection	<p>The Camden Town Conservation Area Committee raised the following comments:</p> <ol style="list-style-type: none"> 1. Unfortunately the form of mansard that it is proposed to replicate, that of 127 to the north, is not a good example to follow at the front, as it does not comply with Camden's guidance for pitch, nor for height at the eaves. A more appropriate example would be the form of that on 129/131 Albert Street which is a true double pitched mansard; 2. We are concerned that a conservation engineering report has not been submitted, in view of the movement apparent in the front facade. This should be conditioned to ensure that any structural work proposed is appropriate. In particular underpinning of the front facade of 125 alone may cause differential movement within the party walls and to neighbouring facades; 3. As the stucco to the ground floor is composed of roman cement, which is breathable if coated in mineral silicate paint, repairs should be made in matching roman cement and not in ordinary Portland cement. Without a front area and basement, improving the breathability of the stucco will also diminish the possibility of damp affecting the ground floor of the house internally; 4. We note that whilst some of the sashes to the front are later replacements, being horned, they have very finely dimensioned glazing bars. The Committee would therefore wish to encourage their retention and repair which would be more sustainable than wholesale replacement, in view of the pre-app. requirement to have single glazing here; 5. The proposed cleaning of the brickwork cannot be supported as the face of the bricks have already been deeply scoured in removing the paint that previously covered the facade. Further cleaning of their surface will make them more absorbent and prone to failure; 6. The inappropriate non-original cement pointing should, however, be carefully raked out and replaced with lime - this is especially important in view of the porous state of the bricks as a hard cement will lead to faster deterioration of the bricks; 7. The proposed rear extension is considered appropriately scaled and designed but the Committee has misgivings about the oversized roof light, as that will cause considerable light pollution in the rear garden area, 					

	<p>allowing light to shine up onto the rear facade. This is especially the case given that this is to be a kitchen which tend to be brightly lit and much used in the evenings.</p>
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Site Description

125 Albert Street forms part of a grade II listed terraced row of 9 houses, Nos. 123-139, originally all of 3-storeys without basement built c1845. It is located on the south west side of Albert Street which forms part of the Camden Town Conservation Area. The terrace's significance is derived from its historic and architectural interests as a well-preserved example of mid-19th century London housing. Many of the original features survive, including the butterfly roof structures at Nos. 123 and 125 and the outrigger appears to have been rebuilt in C20. However, it follows closely the footprint of the original outrigger shown in the early Ordnance Survey (OS) maps.

The rear elevation was rebuilt from the upper first floor level, with most windows being replaced with C20 windows of various designs. The sash window at first floor landing appears to be the only original window, it is therefore of high contribution to the listed building's significance. There have been substantial changes within the setting with the creation of the Jewish Museum, which involved amalgamation of Nos. 129-131, as well as various extensions to the rear of the terraced row.

The site is in disrepair and the existing layout indicates that the property was last used as 4 bedsit units. There appears to be 2no. Bedsits to Ground Floor and 2no. Bedsits at upper floor levels.

Relevant History

LE9800517R1 – Listed building consent for the retention of various internal alterations including the replacement of the top floor windows and repointing, as shown on drawing number 1001/Rev 1. **Granted** on 17/12/1998.

Relevant policies

National Planning Policy Framework 2021

The London Plan 2021

Camden Local Plan 2017

A1 Managing the impact of development A4 Noise and vibration

D1 Design

D2 Heritage

DM1 Delivering and Monitoring

CC2 Adapting to climate change H3 Protecting existing homes

H2 Maximise the supply of affordable housing

H3 Protecting existing homes

H6 Housing choice and mix

H5 Protecting and improving affordable housing

H10 Housing with shared facilities

H5 Protecting and improving affordable housing

T1 Prioritising walking, cycling and public transport

T2 Parking and car-free development

Camden Planning Guidance

CPG Design

CPG Home Improvement

CPG Amenity

CPG Transport

CPG Housing

Camden Town Conservation Area Appraisal 2007

Assessment

1.0 Assessment

- Land use
- Design and Heritage
- Transport
- Residential Amenity

1.1 Land use

1.2 No. 125 Albert Street was built as part of a run of 9 town houses c. 1845 (early Victorian) and comprises nos. 123-139, nos. 129-131 were amalgamated during the 20th Century and is now the Jewish Museum London. No. 131 originally incorporated a carriage arch giving access to a small mews stable and associated accommodation. Nos. 129-131 now has a slightly wider frontage and differently spaced windows. The host building seems to have been used as a House in Multiple Occupancy (Sui-generis) consisting of 4 units each accommodating up to 2 persons; 2 x units on the ground floor and the other 2 units are located on the first and second floors. Policy H10 states we will resist development that involves the net loss of housing with shared facilities (houses in multiple occupation) or the self-containment of any part of such housing. There are certain circumstances (g-i) where the loss of a House in Multiple Occupation is acceptable. Clause g) states:

“the loss may be acceptable where: it can be demonstrated that the accommodation is incapable of meeting the relevant standards for houses in multiple occupation, or otherwise genuinely incapable of use as housing with shared facilities”

1.3 The fitness for human Habitation Act 2018 requires HMOs to be fit for human habitation and given the dilapidated state of the host building, substantial amount of work would be required to get the property into a habitable state. Moreover, the Housing Act requires HMO units, including any common parts of the building, to be fit for human habitation at the beginning of the tenancy and throughout. The definition of fitness is contained within the Landlord and Tenant Act 1985 and a property may be unfit for the reasons identified below:

- The building has been neglected and is in a bad condition
- the building is unstable
- there is a serious problem with damp
- it has an unsafe layout
- there is not enough natural light
- there is not enough ventilation
- there is a problem with the supply of hot and cold water
- there are problems with the drainage or the lavatories
- it is difficult to prepare and cook food or wash up and; there is a category 1 or 2 hazard under the housing health and safety rating System (HHSRS).

1.4 The supporting text goes on to state: "3.281 Where such properties do not meet current standards, are in serious disrepair, or have a history of vacancy, we will assess the form of renovation or development best able to provide residential accommodation of reasonable quality and may accept self-containment in some circumstances. The Council will consider the extent of the works required to meet contemporary standards, their likely impact on any designated heritage assets, the cost of restoring the property to use (having regard to any fixtures and fittings removed from the property by the owner), the potential rental return from the property, and the prospect of investment coming forward to make the property suitable for occupation as housing with shared facilities."

Viability and heritage considerations for continued use as an HMO

1.5 There is no record from a planning and licensing prospective for the use of the property as House in Multiple Occupation. However, the use seems to be in situ for over 4 years. The site visit confirmed that considerable upgrading would be required to meet relevant standards for housing in multiple occupation. One of the Council's Environmental Health Officers (Private Sector Housing) was consulted and has confirmed that the property is not licensed as a House in multiple Occupation (Sui-generis) and the property has no visible fire doors or automatic fire alarm system which would meet licensing standards. Notwithstanding, the above the application has provided no justification for the loss of these low-cost housing units. Notwithstanding this, the site visit confirmed that the building is uninhabitable and there would be considerable upgrading works that would be required to meet relevant standards for housing in multiple occupation. Not only would the cost of the works be likely to be prohibitive for a viable conversion for HMO purposes but the changes to planform and fire safety

adaptations required for such a use would be harmful to the heritage value of the listed building. Thus, the conversion back into a residential dwelling is considered more viable and compatible with the building's listed building status than its upgrading for the purposes of bringing it back into HMO use and therefore is acceptable in principle.

Residential conversion

1.8 Policy H10 states that where the Council is satisfied that a development involving the net loss of homes with shared facilities is justified, we will expect it to create an equivalent amount of floorspace for permanent self-contained housing (in Use Class C3), secured as a long-term addition to the supply of low-cost housing, or otherwise providing an appropriate amount of affordable housing, having regard to Policy H4. Generally, where we agree to self-containment, we would seek to secure small low-cost homes. Further justification is required with detailed analysis of any cost to convert the building back into its lawful HMO use versus the rental value. Notwithstanding this, the works needed for the re-provision of the various bedsits would be more intrusive and harmful from a Listed Building perspective compared with the works to fully restore the use a single dwelling house which is the overriding consideration in this instance.

1.9 Policy H7 requires development that contributes to meeting the priorities set out in the Dwelling Size Priorities Table and the layout proposed is considered acceptable in land use terms as it would provide a large family home, which is a high priority type for the borough. Policy H6 of the Local Plan states that the Council will expect all self-contained homes to meet nationally described space standards. The proposed 2 bed 4-person dwelling would have a Gross Internal Area (GIA) of 140sqm, which would far exceed the minimum 79sqm GIA prescribed in the national standards for 2bed dwelling. Thus, the proposed dwelling is considered an acceptable size and layout and would ensure a good standard of accommodation is provided.

2.0 Affordable Housing Contribution

2.1 Policy H4 aims to maximise the supply of affordable housing. The Council expects a contribution to affordable housing from all developments that provide one or more additional homes and involve a total addition to residential floorspace of 100sqm Gross Internal Area (GIA) or more. 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% for each home added to capacity.

2.2 The proposal provides a new unit through change of use involving 140sqm GIA of floorspace. This would result in a requirement for 2% affordable housing (capacity is rounded up to the nearest 100sqm (i.e. 200sqm), with 50sqm and above being rounded up). This would equate to a requirement of 6sqm of affordable floorspace. Where developments have capacity for fewer than 10 additional dwellings, the Council accepts a payment-in-lieu (PIL) of affordable housing as set out in Policy H4.

2.3 Based on an uplift in GIA of **140sqm** the percentage AH target would be **2%** (capacity for **2** units (rounded to the nearest 100sqm) so $1 \times 2\% = 2\%$ contribution

- The affordable housing floorspace target is **$2\% \times 140\text{sqm} = 2.8\text{sqm}$**
- A PIL is sought at a rate of £5,000 per m² of GIA, as per CPG Housing January 2021
- The financial contribution is therefore **$2.8\text{m}^2 \times £5,000 = £14,000$**
- This is based on measurements **taken from the submitted plans / submitted by the applicant** and the final financial contribution would be dependent on the PIL figure at the time of agreeing the Section 106 Agreement

2.4 On this basis, a payment in lieu of £14,000 towards affordable housing would be required if permission were granted.

3.0 Design and Heritage

3.1 Policy D1 of the Local Plan states that the Council will seek to secure high quality design in development. The Council will require that development respects local context and character. Policy D2 states that the Council

will preserve and enhance Camden's heritage assets and their settings, including conservation areas. The Council will not permit development that results in harm that is less than substantial to the significance of the heritage asset unless the public benefits of the proposal significantly outweigh that harm.

3.2 CPG Design (2021) emphasises that in assessing applications for listed building consent we have a statutory requirement to have regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. The guidance sets out the criteria the Council will use to assess proposals which could harm the historic significance of a listed building, including its features:

- Original and historic materials and architectural features (historic fabric);
- Original layout of rooms (plan form);
- Structural integrity; and
- Character and appearance

3.3 Sections 16 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 ("the Listed Buildings Act") are relevant. Section 16(2) provides that in considering whether to grant listed building consent for any works to a Listed Building special regard must be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

3.4 Section 72(1) requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area when considering applications relating to land or buildings within that Area.

3.5 Para. 196 of the NPPF states that: where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

3.6 The effect of these sections of the Listed Buildings Act is that there is a statutory presumption in favour of the preservation of the character and appearance of Conservation Areas and the preservation of Listed Buildings and their settings. Considerable importance and weight should be attached to their preservation. A proposal which would cause harm should only be permitted where there are strong countervailing planning considerations which are sufficiently powerful to outweigh the presumption.

4.0 Roof extension

4.1 The principle of the Mansard roof extension is unacceptable. The original roof is one of the last of its type in the terraced row and is of high significance; it contains the historic fabric (according to the photographs sent by the applicant), and even if repairs are necessary due to the deterioration, this should be on like for like localised repairs/replacements basis. The roof form is an important element of the building's significance as well as substantial contributor to the significance and character of the conservation area. At the site visit the recent mansard extensions were discussed in Delancey Street. However, these are not within the same listed terraced row. Notwithstanding the above, all listed building consents are assessed on their own merits, regardless of any precedent nearby.

4.2 When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. The loss of the original roof fabric together with the raising of the roof height in a non-traditional mansard form which departs from the current original outward appearance of the building's street elevation is considered to harm its special interest and erode the character and appearance of the conservation area.

4.3 While the harm would be less than substantial any harm to the significance of a designated heritage asset should be accorded considerable weight in balancing this against the public benefits of the proposal.

4.4 The application supporting information has confused the manner in which harm is balanced. In stating “the fact that the proposals will result in an overall enhancement of the listed building and its contribution to the conservation area, [ergo] far outweigh this harm,” it is not clear if this statement means that the replacement of the roof is in and of itself an enhancement (which the Council disputes) or whether the meaning is that the other works of enhancement to the property in reinstating its original use as a single dwelling can be used to offset the harm to the roof (which they cannot). The overall enhancement of the asset is not contingent on the replacement of the roof, and unless secured by very detailed conditions there is no way of ensuring that all of the enhancement would actually take place if permission for the harm were to be granted. But, in any case, there is no balancing to be undertaken, because the areas of harm and enhancement are different parts of the fabric of the property, and the application documents acknowledges that the works relating to the roof are, in fact, harmful.

4.5 Rear extension

4.6 The proposal would see the 'closet addition' on the rear elevation demolished, as well as the later extension attached to it and the proposed extension would be the same height as the existing closet wing on the application property. The proposed extension would be transparent using glazed doors and fully glazed roof and the proposal would be subservient to the "outrigger" element of the extension. The applicant confirmed that the original brick work to the rear elevation will be cleaned, repointed, and expressed within the proposed internal space.

4.7 The proposed rear extension would be a sympathetic addition to the host building and the proposal is therefore not considered to cause harm to the character and setting of the adjoining properties in the terrace and officers consider that this would preserve the building character. The rear of the site is screened from public view due to the density of the buildings that surround it. Therefore, given this limited visibility and the prevalence of similar sized extensions to adjoining properties, the proposed development is not considered to cause harm to the character and appearance of the surrounding conservation area. If the proposal was otherwise acceptable .

5.0 External works.

5.1 The rear elevation of the property has been rebuilt from the upper first floor level using new buff brick and what looks like cement mortar. The rear window openings to the half landing and second floor are both early mid-20th century and of an alien typology. The upper half landing window is a pre-WW2 metal window. Interestingly, as the terrace did not sustain any bomb damage, the rebuilding may be due to inherent structural defects that were corrected, probably in the 1930s. The window heads are presently cast concrete lintel.

5.2 The proposal includes the loss of a window opening and window to the rear elevation. Given the window frame has been replaced and the proposed alterations retain an opening of an equivalent width as the exiting window, it is accepted that the proposed access would be acceptable in its impact on significance and is broadly in line with what is generally consented within other schemes for residential extensions of listed buildings in London.

5.3 The proposed replacement of clearly C20th windows with more appropriate single glazed sashes is supported. However, if the proposal was otherwise acceptable a condition would be required to secure the details of the windows including window schedule which provides information on the age of the glass and likely timber to be used. The use of servicing, including new cast metal rainwater goods is considered acceptable.

5.4 Internal works

5.5 The interior changes made to the building as part of its subdivision into bedsits, including rearrangement of rooms into kitchens and bathrooms are harmful to its significance to varying degrees. However, the partitions are of a lightweight quality and the installation of kitchens and bathrooms are of an inherently reversible nature. This existing harm is capable of being remedied by means of the proposed use of the building as a single-family dwelling.

5.6 Removal of all modern partitions including the fitted kitchen units, the existing bathroom fixtures and sanitaryware to restore the original plan form and function of each room as far as possible is welcomed. The new bathroom/shower room to the first floor would be designed to be reversible and the works to reinstate the

original room layouts would restore and preserve the legibility of the historic planform. Moreover, the original door openings throughout the house would be retained. The existing partitions at second floor level will be removed to restore the integrity of the original layout, overall, resulting in an enhancement of the building's significance.

6.0 Transport

6.1 Policy T2 of the Local Plan states that the Council will limit the availability of parking and require all new residential developments in the borough to be car-free. However, the use of the property as a single dwelling would not result in the intensification of the existing use but be likely to decrease pressure for car parking compared with the existing subdivision into a number of units. Therefore securing the property as "car free is unjustified in this instance". Giving the existing constraints the proposal would not accommodate any new cycle storage areas. The limited nature of the proposed works would not generate the need for a Construction Management Plan (CMP) given that construction vehicles can load and unload within the resident permit bays near the site.

7.0 Amenities

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

7.2 The proposed mansard roof and two front and two rear dormers would not cause any significant harm to the daylight, sunlight and privacy of neighbouring properties. The extension would not be overbearing or harmful to the outlook or aspect from any neighbouring rooms or gardens.

7.3 All of the proposed rear windows would share the same outlook as the existing windows at the property and would not exacerbate current levels of overlooking as a result. No. 127 has a rear extension which shares the boundary line and does not introduce windows to the flank elevation, therefore the proposal would not have any harmful impact from overlooking. The rear extension would be set below or away from the neighbouring windows to the rear elevation. Thus, there would not be any significant impact caused in terms of loss of light or outlook.

8.0 Recommendation

8.1 Refuse planning permission for the following reason:

8.2 The proposed roof extension, by reason of its bulk, design and resultant loss of the original roof form and fabric would detract from the overall integrity of the building's special architectural and historic interest and also cause harm to the character and appearance of the Camden Town Conservation Area contrary to policies D1 (Design) and D2 (Heritage) of the London Borough of Camden Local Plan 2017.

8.3 The proposed development, in the absence of a legal agreement securing a contribution to affordable housing, would fail to meet the needs of households unable to access market housing, contrary to Policies H4 (Maximising the supply of affordable Housing) and DM1 (Delivery and monitoring) of the London Borough of Camden Local Plan 2017.

8.4 Refuse listed building consent for the following reason:

8.5 The proposed roof extension would disturb and destroy historic fabric, harm the plan form of the building, and would disrupt and falsify the historic evolution of the building, causing harm to the special historic significance of the building. The proposal would detract from the overall integrity of the building's special architectural and historic interest and also cause harm to the character and appearance of the Camden Town Conservation Area contrary to policies D1 (Design) and D2 (Heritage).