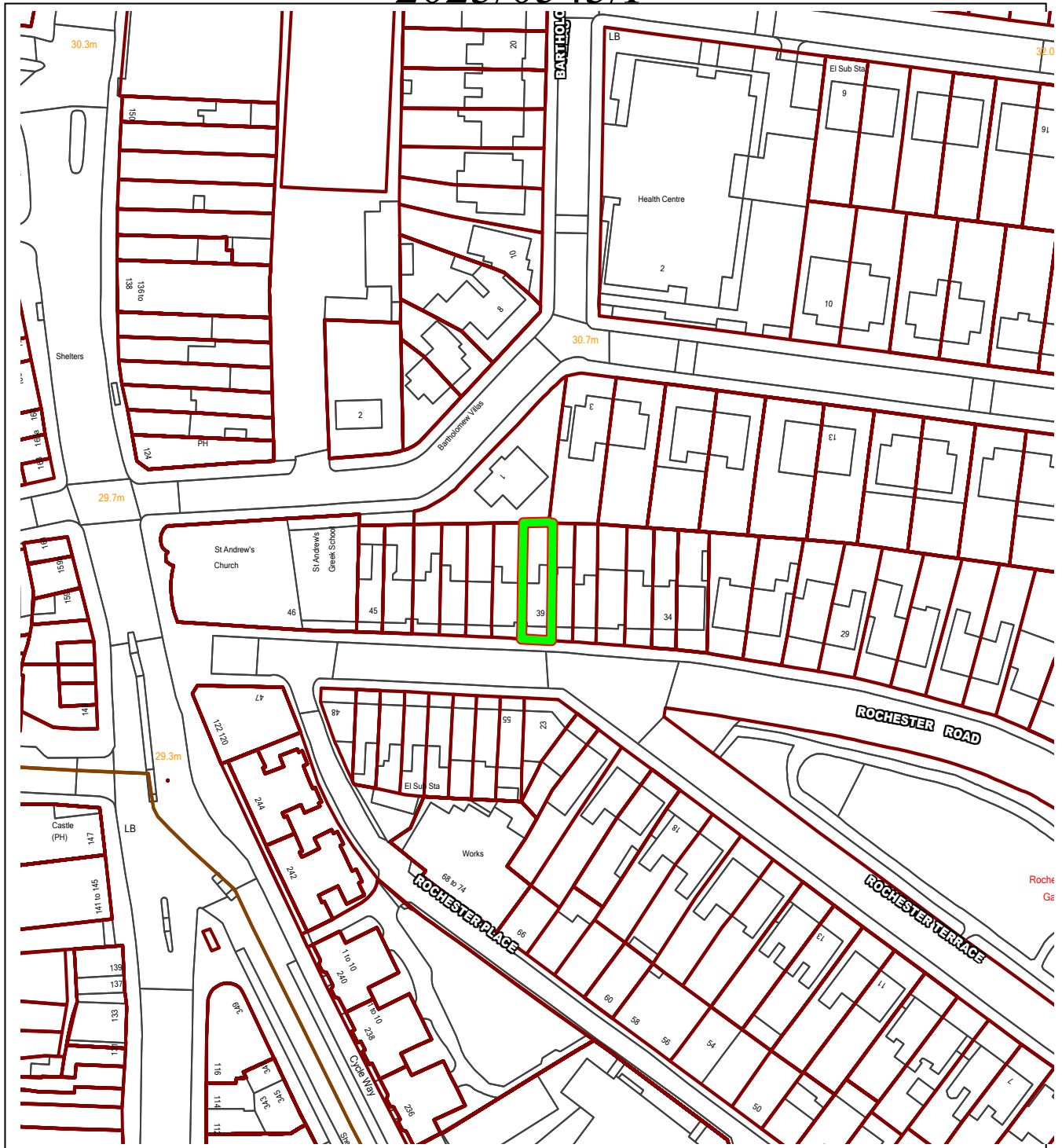


39 Rochester Road, NW1 9JJ

2023/0543/P



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1. Front garden view from the street

Delegated Report (Members Briefing)		Analysis sheet		Expiry Date:	29/03/2023
		N/A / attached		Consultation Expiry Date:	23/04/2023
Officer			Application Number(s)		
Duty determination team			2023/0543/P		
Application Address			Drawing Numbers		
39 Rochester Road London NW1 9JJ			Please refer to draft decision notice		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
Erection of bike store and landscaping alterations to front garden.					
Recommendation(s):		Grant conditional planning permission			
Application Type:		Householder 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
Summary of consultation responses:	Site notices were displayed on 22/03/2023 (consultation expiry date 15/04/2023) and a notice was placed in the local press on 30/03/2023 (consultation expiry date 23/04/2023) No responses have been received.					
Rochester Conservation Area Advisory Committee (CAAC):	<p>Object, on the following grounds:</p> <p>We understand that householders are nowadays required to include cycle storage, although this large bin is intrusive and harmful to the conservation area. We regret if this is to be the standard impact of Camden policies, in the same way that the Veolia bins are a negative impact. We ask for additional work to be required to sustain the Conservation Area character and would be pleased to discuss this with the planning officer. Rochester Conservation Area management statement (2001):“Nos. 45-36: To the detriment of Rochester Conservation Area, many of properties within this group have incurred piecemeal alterations and unsympathetic painting over the years and have as a consequence lost many of their original characteristics. ... The original low brick walls with surmounted iron railings defining the front boundary of the property have largely been replaced or altered and this has detracted from the setting of these buildings. ... The exception is No.42 where the iron railings fronting the property appear to be original.”</p> <p>“Recommendation R8. Alterations to the front boundaries between the pavement and houses can dramatically affect and harm the character of the Conservation Area. The original features of the boundary vary but are predominantly formed by traditional iron railings, in some cases mounted on low walls. Proposals should respect the original style of boundary and these should generally be retained and reinstated where lost. Particular care should be taken to preserve the green character of the Conservation Area.” The proposed shed would fulfil the Council’s requirement for domestic cycle parking. It would be placed with its short side facing the street and beside the joining garden wall. However, it will form a significant intrusion to the street view. No.39 is one of the properties where the Management Statement records railings have been lost, and R8 recommends they should be ‘reinstated where lost’. (They have not, luckily, been replaced with the ugly iron tubes and red brick wall at No.40.) To off set the intrusion of the shed in this significant Georgian housing row, permission for the cycle shed should be given only if the railings are replaced using the broad spear-head pattern of houses Nos.41-43 (see No.42 positively identified in the Management Statement) and not the narrow spear-head used in there placement gatepost at No.41 and adjacent at Nos.38-36--which also have greater potential for harm from falls. See picture below.</p>					



“Recommendation 8 ... The Council will resist any further ... conversion of front gardens into hardstanding parking areas” and take care “to preserve the green character of the Conservation Area”. Since the shed will make permanent reduction of both flower-bed and natural soil drainage, greater attention should be given to the front ground, currently a south-facing flowerbed. Full gravelling is not needed for the bikes to run. The applicants should maintain plant borders along the garden wall and house front sides and encourage greenery.

Officer comment:

The applicant has updated the plans to show a planted border and retain more soft landscaping. For design concerns see section 4.

This application did not involve works to the front boundary and given the minor nature of the works the Council would be unable to justify refusing an application that was not revised to include new railings. In addition, if the development was updated to include new railings, the development description would have needed to be revised, which would have required re-consultation and resulted in delays in determining the application.

Site Description

The application site is a single family dwelling house. It is a 3 storey end terrace house located on the north side of Rochester Road. The terrace is set back from the street with a modest front garden.

The application site is within the Rochester Conservation Area and the application building is identified as making a positive contribution to the character and appearance of the conservation area.

Relevant History

2020/6011/P: Erection of a part one part two storey rear extension and the installation of replacement timber windows. **Granted 06/04/2021.**

Relevant policies

National Planning Policy Framework (2021)

London Plan (2021)

Camden Local Plan (2017)

A1 Managing the impact of development

A2 Open Space

A3 Biodiversity

A4 Noise and vibration

D1 Design

D2 Heritage

CC1 Climate change mitigation

CC2 Adapting to climate change

T1 Prioritising walking, cycling and public transport

T2 Parking and car-free development

Camden Planning Guidance

CPG Amenity (2021)

Biodiversity (2018)

Design (2021)

Home Improvements (2021)

Transport (2021)

Trees (2019)

Water and flooding (2019)

Rochester Conservation Area Statement (2001)

Assessment

1. The proposal

- 1.1. Planning permission is sought for the erection of a single storey bike store within the front garden and front landscaping including installation of permeable gravel.
- 1.2. The footprint of the proposed store would measure 0.95 metres by 2.2 metres (2.1 square metres in area) and it would measure 1.3 metres tall with a sloping roof. It would be metal finished in an ivory colour.
- 1.3. The front garden measures approximately 11.2 square metres, which means the proposed store would occupy approximately 18.9% of the garden space.

2. Revisions

- 2.1. The following revisions have been made during the course of the application:
 - Retention of soft landscaping to front garden

3. Planning considerations

- 3.1. The key considerations material to the determination of this application are as follows:
 - Heritage and design
 - Transport
 - Impact on neighbours
 - Planning balance

4. Heritage and design

- 4.1. The application site is within the Rochester Conservation Area, wherein the Council has a statutory duty, under section 72 of The Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended), to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area. The Rochester Conservation Area Statement identifies No. 39 Rochester Road as making a positive contribution to the character and appearance of the conservation area.
- 4.2. Policy D1 of the Camden Local Plan seeks to secure high quality design in development and Policy D2 seeks to preserve and, where appropriate, enhance Camden's rich and diverse heritage assets, including conservation areas.
- 4.3. Policy A2 of the Local Plan seeks to protect non-designated spaces with nature conservation, townscape or amenity value, including gardens. The supporting text to the policy notes that development within rear gardens and other undeveloped areas can have a significant impact upon the amenity and character of the area; and gardens provide a setting for buildings, provide visual interest and support natural habitats. It is noted that the Council will resist development that occupies an excessive part of a garden and will also seek the retention of important views and glimpses of green space, such as gardens.
- 4.4. Policy A3 seeks to protect and enhance site of nature conservation and biodiversity and also seeks to protect gardens. The policy notes that the Council will assess developments against their ability to realise benefits for biodiversity through the layout, design and materials used in the built structure and landscaping elements of a proposed development, proportionate to the scale of development proposed.
- 4.5. Camden Planning Guidance (CPG) Home Improvements guides that, because outbuildings occupy space in the garden, the size and design should be carefully considered in terms of the

impact on neighbour amenity, biodiversity and the character of the wider area, so that they do not detract from the generally 'soft' and green nature of gardens. The guidance notes that the siting, location, scale and design should have a minimal impact on, and be visually subordinate within, the host garden; the character and appearance of the conservation area should be preserved or enhanced; the outbuilding should not detract from the open character and garden amenity of neighbouring gardens and the wider area; space should be retained around the building for suitable soft landscaping; the height of the outbuilding should retain visibility over garden walls and fences; the size of the outbuilding should maximise the retention of garden and amenity space; trees and their roots should not be adversely affected by the outbuilding's position and construction methods should minimise any impact on trees and mature vegetation; materials which complement the host property and overall character of the surrounding area should be used; green roofs and/or solar panels should be considered; any impacts on water run-off and groundwater flows should be addressed; the use of water butts should be considered; and the installation of bird and bat boxes should be considered.

4.6. The Conservation statement does not provide specific guidance on outbuildings or stores. But it does note that the loss of vegetation in front gardens is discouraged. The Rochester CAAC have objected on the loss of soft landscaping to the front garden. It is noted that there are no existing trees but an existing shrub which will be retained within the planting bed. Over the course of the application revisions were received retaining some of the soft landscaping with permeable paving which is welcomed.

4.7. The proposed store is considered to accord with the CPG guidance insofar as it would be visually subordinate within the garden, by virtue of its scale, design and siting; it would not detract from the openness of the front garden, or the wider area (whilst it will have views from the street given the low boundary treatment); its height would not be excessive (1.34 metres), such that views over the top would still be possible and it does not block any architectural features of merit; ample garden and amenity space would be retained between the outbuilding and the main building.

4.8. It is acknowledged that there would be public views from the street given its location in the front garden and low front boundary wall. Although the store would be visible from the street, its colour has been chosen to blend in with rendered front elevation of the host property, its siting has been considered to orientate it to reduce its visual impact and officers acknowledge that it cannot be smaller in scale given its purpose to accommodate bicycles.

4.9. Overall, the design, scale and detailed design is considered to be acceptable, it is not considered to harm the character and appearance of the host building nor the wider area or the Rochester Conservation Area to an extent that warrant a reason for refusal.

5. Transport

5.1 Policy T1 promotes sustainable transport including cycling and installation of their associated facilities.

5.2 The site currently benefits from no formal cycle parking and the development would create a new secure cycle store with space for 2 bikes for the existing dwelling to use. This is welcomed as it will encourage sustainable transport.

5.3 It is noted that there are two Council cycle hangars on the street further along Rochester Road closer to the junction with Camden Road around a 3/4 minute walk from the application site. However, online records show that there is currently a waiting list for spaces within these.

6. Impact on neighbours

6.1. Policy A1 of the Local Plan seeks to protect the quality of life of occupiers and neighbours. The factors to consider include: visual privacy and outlook; sunlight, daylight and overshadowing;

artificial light levels; impacts of the construction phase; and noise and vibration. Policy A4 also seeks to ensure that noise and vibration is controlled and managed.

6.2. It is not considered that the proposal given its siting and small scale would harm any neighbours' amenity in terms of privacy, outlook or light.

7. Planning Balance

7.1 As outlined above, while it is acknowledged that front gardens within the residential streets make an important contribution to the streetscape and character of the residential area and the setting of the Rochester Conservation Area. The development does bring benefits such as introducing secure cycle parking in area where there is a long waiting list for on street secure cycle parking which promotes the Local Plan's requirement for sustainable transport and retaining and improving soft landscaping to promote biodiversity. The store is modest in scale and has been designed to minimise its visual impact. Therefore, in this instance on balance these benefits would outweigh the perceived harm to the character and appearance of this property/terrace and the Rochester Conservation Area.

Recommendation: Grant conditional planning permission

The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 19th June 2023, nominated members will advise whether they consider this application should be reported to the Planning Committee. For further information, please go to www.camden.gov.uk and search for 'Members Briefing'.

Application ref: 2023/0543/P
Contact: Duty Determination Team
Tel: 020 7974 XXXX
Email:
Date: 12 June 2023

Development Management
Regeneration and Planning
London Borough of Camden
Town Hall
Judd Street
London
WC1H 9JE
Phone: 020 7974 4444
planning@camden.gov.uk
www.camden.gov.uk

Roach Matthews Architects Ltd
Unit K103, The Biscuit Factory
100 Drummond Road
London
SE16 4DG

DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Householder Application Granted

Address:
39 Rochester Road
London
NW1 9JJ

Proposal: Erection of bike store and landscaping alterations to front garden.

Drawing Nos: 2010 Rev.L1; 2110 Rev.L2; 2310 Rev.L2; 2311 Rev.L2 and 2312 Rev.L2.

The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

2010 Rev.L1; 2110 Rev.L2; 2310 Rev.L2; 2311 Rev.L2 and 2312 Rev.L2.

Reason: For the avoidance of doubt and in the interest of proper planning.

Informative(s):

- 1 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (tel: 020-7974 6941).
- 2 This approval does not authorise the use of the public highway. Any requirement to use the public highway, such as for hoardings, temporary road closures and suspension of parking bays, will be subject to approval of relevant licence from the Council's Streetworks Authorisations & Compliance Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No 020 7974 4444). Licences and authorisations need to be sought in advance of proposed works. Where development is subject to a Construction Management Plan (through a requirement in a S106 agreement), no licence or authorisation will be granted until the Construction Management Plan is approved by the Council.
- 3 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website (search for 'Camden Minimum Requirements' at www.camden.gov.uk) or contact the Council's Noise and Licensing Enforcement Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444)

Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You must secure the approval of the Council's Noise and Licensing Enforcement Team prior to undertaking such activities outside these hours.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2021.

You can find advice about your rights of appeal at:

<https://www.gov.uk/appeal-householder-planning-decision>.

If you submit an appeal against this decision you are now eligible to use the new [submission form](#) (Before you start - Appeal a planning decision - GOV.UK).

Yours faithfully

Chief Planning Officer