

Delegated Report		Analysis sheet	Expiry Date: 11/01/2022
			Consultation Expiry Date: 07/02/2022
Officer		Application Number(s)	
Enya Fogarty		2021/5608/P	
Application Address		Drawing Numbers	
21 Mornington Crescent London NW1 7RG			
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature
Proposal(s)			
Erection of outbuilding to the rear of garden for use as a studio office with associated landscaping.			
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	0	No. of responses	0	No. of objections	01
			No. electronic	0		
Summary of consultation responses:	<p>A site notice(s) was displayed near to the site on the 15/07/2021 (consultation end date 08/08/2021).</p> <p>The development was also advertised in the local press on the 13/07/2021 (consultation end date 06/08/2021).</p> <p>One objection was received from Clarkson and Mornington Tenants and Residents Association (see below):</p> <ol style="list-style-type: none"> 1. The proposed development will be visible from Clarkson Row 2. Loss of privacy to properties along Clarkson Row due to location of proposed development 3. Light pollution from windows on the front and rear elevation 4. Loss of vegetation 5. The height of the building is not in keeping with the conservation area 6. No green roof 7. Damage to existing trees as a result of the proposed development 					
Camden Town CAAC:	<p>A letter of objection was received on behalf of the CAAC. Their objection comments can be summarised as follows:</p> <ol style="list-style-type: none"> 1. Will significantly harm the setting of the listed Crescent building 2. Will be overly prominent and the amount of open ground and vegetation 3. Amount of glazing at the front and rear elevation will result in light pollution and will effect biodiversity, in particular moths and bats especially 4. Inappropriate design 5. Outbuilding to be used as a separate unit 6. Proposed footprint too large 					

Site Description

The application site is a Grade II Listed Building located within the Camden Town Conservation Area. The site is occupied by a mid-terrace late Georgian building. The most significant feature of the terrace is its front facade and how it contributes to the visual coherence of Mornington Crescent as well as the surrounding conservation area. The listing description primarily describes the frontal elevation, including the detailing of the elevation in terms of round-arched door and window openings, cast iron balconies and stucco detailing.

Relevant History

The planning history for the application site can be summarised as follows:

Application site

2021/2654/P & 2021/3457/L - *Two storey rear extension at lower and ground floor level and associated works and the reconfiguration of the internal layout.* **Withdrawn**

Neighbouring properties

3 Mornington Crescent

2018/0263/P & 2018/0931/L- *Lower ground and ground floor rear extension including excavation and installation of external rear staircase.* **Granted 17/10/2018**

25A Mornington Crescent

2020/2313/P & 2020/2842/L - *Change of use from office (Class A2) to residential (Class C3) to create a one bedroom unit; erection of a single storey ground floor rear extension; creation of a first floor roof terrace including raising front and rear parapet walls; alterations to street frontage including erection of metal railings, provision of a refuse store and two cycle parking space within front garden; plus various alterations to elevations and fenestration.* **Granted 26/02/2021**

Relevant policies

National Planning Policy Framework (2021)

The London Plan (2021)

Camden Local Plan (2017)

- **A1** Managing the impact of development
- **D1** Design
- **D2** Heritage

Camden Planning Guidance:

- CPG Amenity (2021)
- CPG Design (2021)
- CPG Home Improvements (2021)

Conservation Statements:

- **Camden Town Conservation Area Appraisal and Management Strategy**

Assessment

1.0 PROPOSAL

1.1 Planning permission is sought for the construction of a rear garden outbuilding. The proposed outbuilding would be used as an ancillary office space for the occupiers of the main dwelling. The outbuilding would measure 2.7m in height, 3.2m in depth at the deepest part, 3.3m in width and would have a flat roof. The outbuilding would be clad with vertical timber cladding and would have a green roof. The front elevation would feature a window and a 3 panel door. The rear elevation would have a door which would provide access to a small garden area and a window.

2.0 ASSESSMENT

The material considerations for this application are summarised as follows:

- Design and Heritage
- Amenity of neighbouring residential occupants
- Trees and vegetation

3.0 Design and Heritage

3.1 The National Planning Policy Framework (NPPF) paragraph 71 suggests local planning authorities should consider setting out policies to resist inappropriate development of residential gardens. Paragraph 124 indicates that planning policies and decisions should support development that makes efficient use of land, taking into account the desirability of maintaining an area's prevailing character and setting, including residential gardens.

3.2 Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (Act) requires special regard to be paid to the desirability of preserving the building or its setting. In addition, Section 72(1) of the Act requires that with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

3.3 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.

3.4 Furthermore, section 5.5 of the Council's supplementary guidance document *Home improvements* states ; *Large garden buildings may affect the amenity value of neighbours' gardens, and if used for purposes other than storage or other domestic uses, may intensify the use of garden spaces and cause loss of amenity through overlooking, overshadowing and noise nuisance.*

Impact on the conservation area and listed building

3.5 The outbuilding would be located in the rear garden of the host property with limited public visibility from the public realm. However, the character and appearance of a conservation area is not entirely confined to public views, especially where sites relate to the setting of listed buildings. It is also a matter of consideration under Policy D2 of the Camden Local Plan:

3.6 Paragraph 6.37 of Policy D2 states: *Development within rear gardens and other undeveloped areas can have a significant impact upon the amenity and character of the area. The Council will protect such spaces in accordance with paragraph 74 of the National Planning Policy Framework. Gardens help shape their local area, provide a setting for buildings, provide visual interest and may support natural habitats.*

3.7 No. 21 is one of a terrace of 12 houses forming part of a crescent. The terrace is characterised by 4 storey properties with basements, which were built c1821-32 in yellow stock brick with rusticated stucco ground floors, natural slate roofs, they boast finely detailed cast-iron balconies and doorcases with inset fluted columns. These characteristics remain in most part, the street has suffered quite extensively, becoming sandwiched between the railway lines at the rear and bulk of Greater London House (originally the Carreras Tobacco Factory), erected on the site of the gardens in the 1920s.

3.8 The proposed outbuilding would be located within the rear garden, i.e. within the private amenity space for the dwelling. The outbuilding would be constructed in timber, would have a flat roof and would extend majority of the width of the rear garden. Whilst the garden at no. 21 is quite large, the proposed structure would have a large floor area when compared to the main dwelling.

3.9 This area of garden is slightly higher than the main garden which results in the mass and height of the structure having increased prominence, emphasising its volume and making it an overly dominant and visually overwhelming development. It would also slightly exceed the height of the rear and side boundary walls and would therefore be visible in private views from surrounding properties.

3.10 As such, the proposed outbuilding is considered to be excessively large for a domestic setting such as this and would be out of proportion to the main dwellinghouse and surrounding area. Although not visible from the public realm, it is considered to represent unsympathetic overdevelopment of the private garden space.

3.11 The design and proportion of the outbuilding (in relation to the garden) would result in a large building undermining the residential garden character at the rear of the property. The erosion of green space through the development of a large permanent structure in rear garden is considered to be harmful to the character of the conservation area and the setting of the listed building,

3.12 Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, under s66 and s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

3.13 Therefore, the proposal due to its size, bulk and location, would represent an over dominant addition which would cause unacceptable harm to the setting of the Grade II listed host property and the character and appearance of the surrounding conservation area.

4.0 Amenity

4.1 Policy A1 seeks to protect the quality of life of occupiers and neighbours by only granting planning permission to development that would not harm the amenity of residents. This includes factors such as privacy, outlook, and implications to natural light, artificial light spill, odour and fumes as well as impacts caused from the construction phase of development. Policy A4 seeks to ensure that residents are not adversely impacted upon by virtue of noise or vibrations.

4.2 The proposal would sit in the rear garden away from other residential buildings. Given its location, no reduction of daylight, sunlight, or outlook would be caused to the occupiers of neighbouring properties. Due to the proposed design, there are no windows serving habitable rooms overlooking the neighbouring gardens.

4.3 Therefore, given the distance from other residential dwellings, it is unlikely that the proposal would harmfully affect the quality of life of neighbouring occupiers. The development is thus considered to be in accordance with planning policies A1 and A4.

5.0 Trees and vegetation

5.1 Policy A3 of the Local Plan states that the Council will resist the loss of trees and vegetation of significant amenity, historic, cultural or ecological value, including proposals which may threaten the continued wellbeing of such trees and vegetation, and it requires that the retained trees and vegetation are satisfactorily protected during the demolition and construction phase of development. It also advises that where the harm to the trees or vegetation has been justified by the proposed development it is expected that development should incorporate replacement trees or vegetation. The Council's Tree Officer was consulted for the application and confirmed the impact of the existing trees and the protection measures were acceptable and proposal would not have an impact on the existing trees and vegetation to form a reason for refusal.

6.0 Recommendation:- Refuse planning permission

Reasons for refusal:

1. The proposed outbuilding by virtue of its siting, size and scale would dominate the rear garden of the host property and would fail to appear as a subordinate garden addition and is considered to detract from the special interest and setting of the listed building and the character and appearance of the surrounding Conservation Area, contrary to Policy D1 and D2 of the Camden Local Plan 2017.