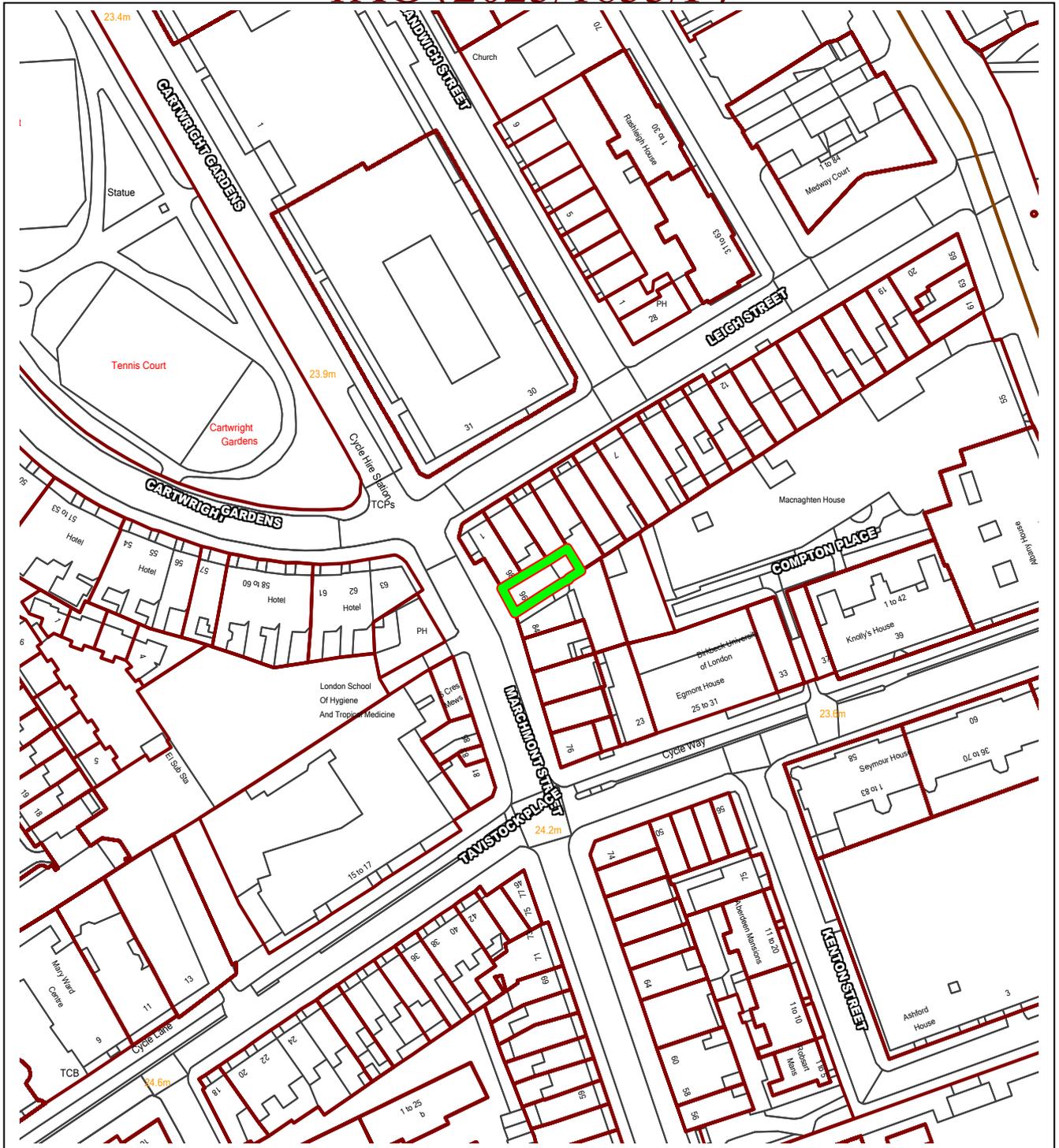


96 Marchmont Street, London, WC1N 1AG (2023/1833/P)



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SITE PHOTOS - 96 Marchmont Street

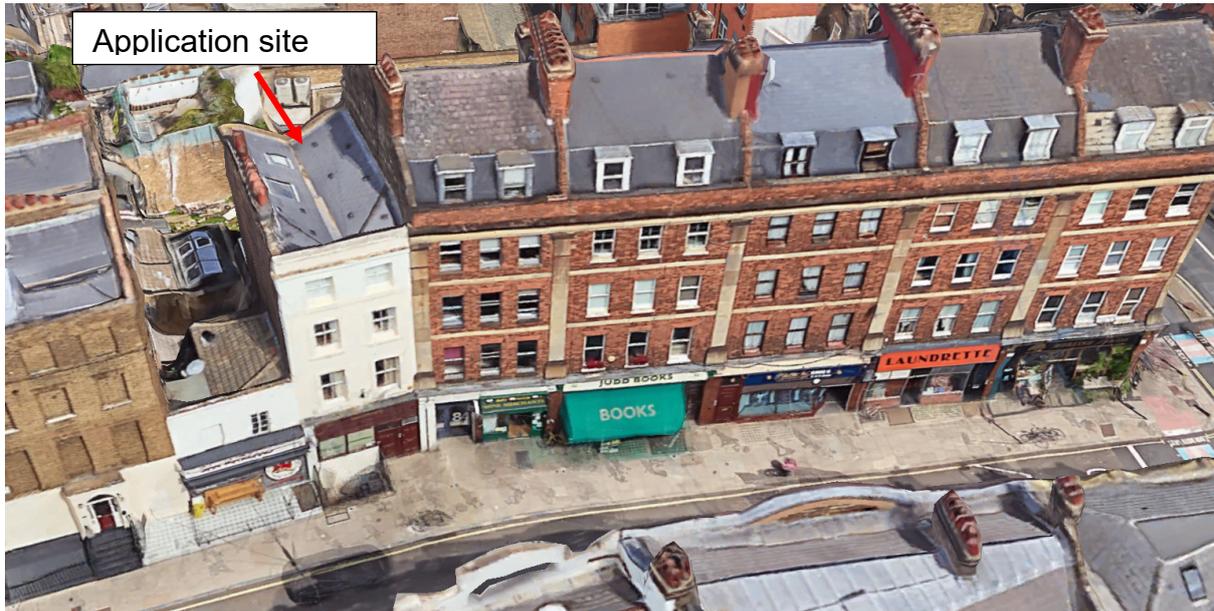


Figure 1 (above): Ariel view of front of application site

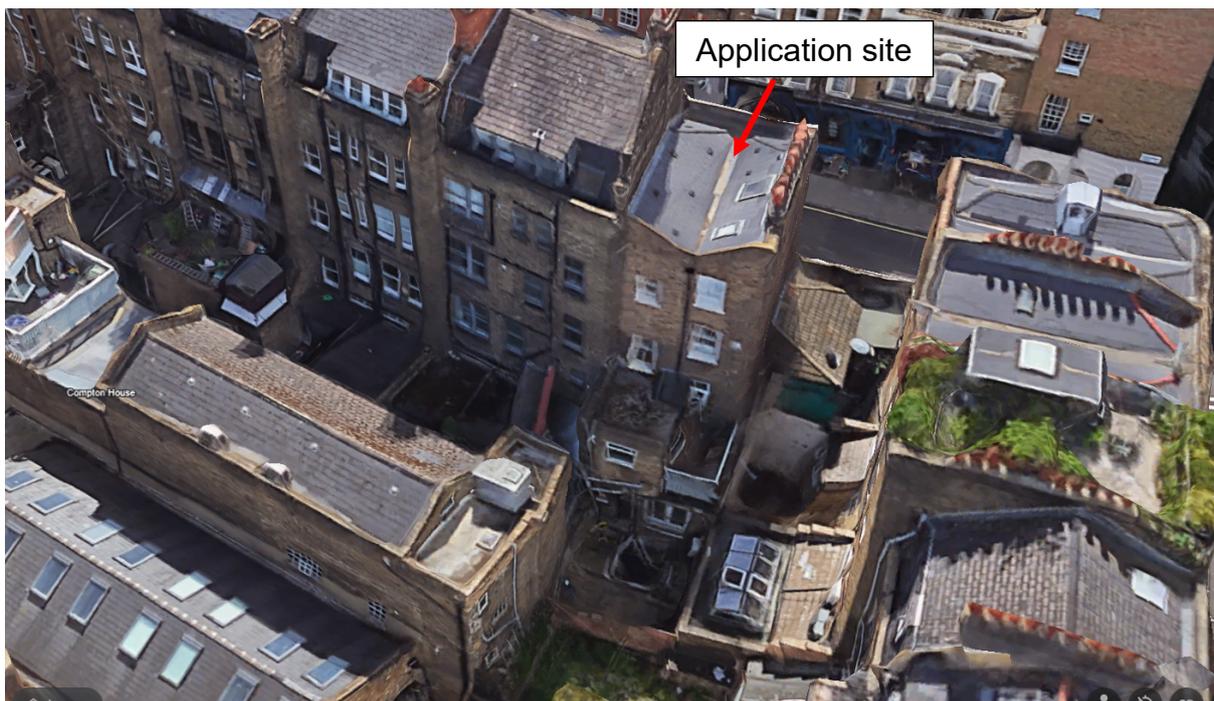
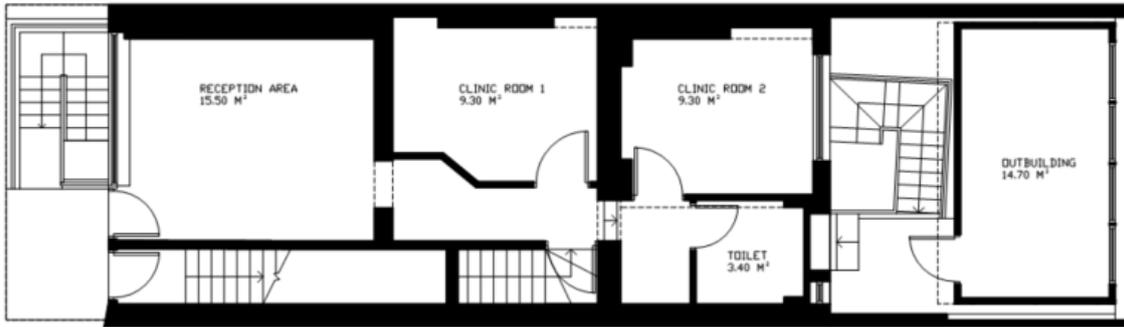
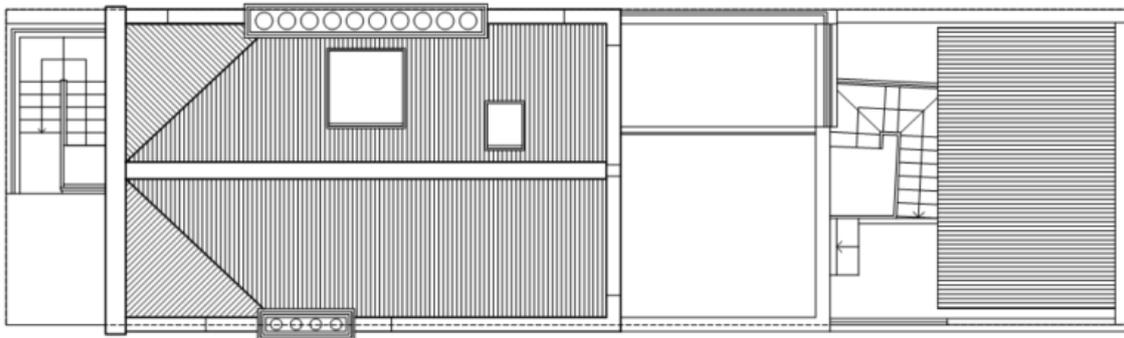


Figure 2 (above): Ariel view of rear of application site



Ground Floor Plan



Roof Plan

Figure 3 (above): Existing and proposed floor plans

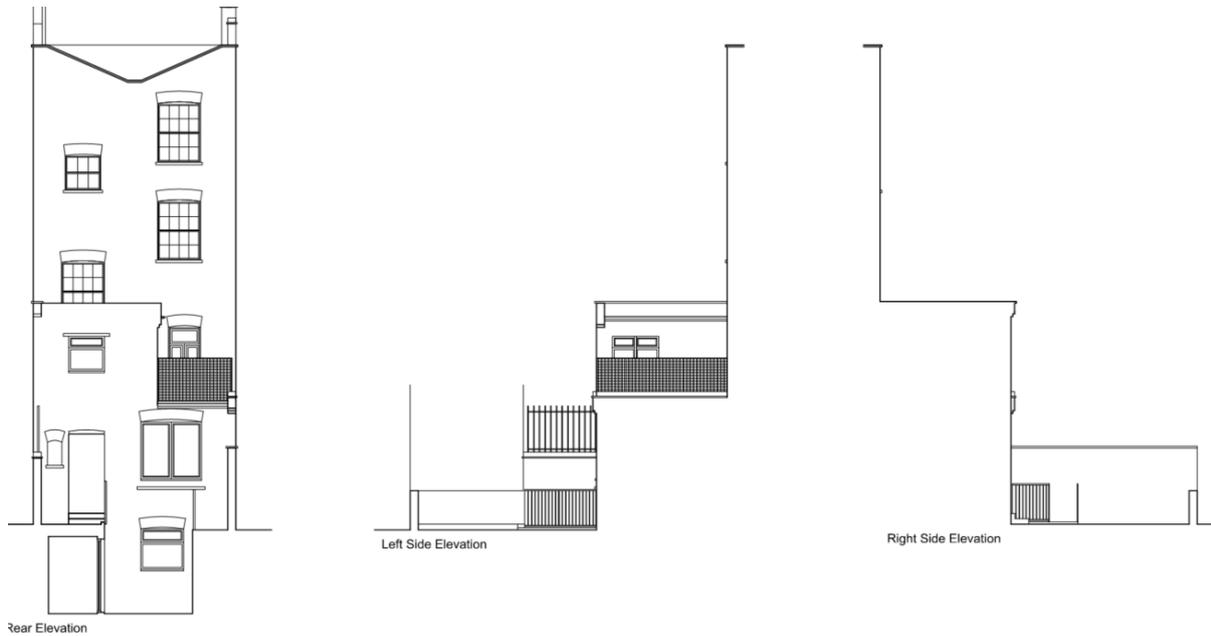


Figure 4 (above): Existing elevations (prior to construction of outbuilding)



Figure 5 (above): Proposed elevations (as installed)



Figure 6 (above): Outbuilding as constructed

Delegated Report		Analysis sheet		Expiry Date:		07/08/2023	
(Members Briefing)		N/A / attached		Consultation Expiry Date:		16/07/2023	
Officer				Application Number(s)			
Elaine Quigley				2023/1833/P			
Application Address				Drawing Numbers			
96 Marchmont Street London WC1N 1AG				See draft decision notice			
PO 3/4		Area Team Signature		C&UD		Authorised Officer Signature	
Proposal(s)							
Erection of outbuilding to rear curtilage (retrospective).							
Recommendation(s):		Grant conditional planning permission					
Application Type:		Full 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
			No. Electronic	00		
Summary of consultation responses:	A site notice was displayed on 14/06/2023 that expired on 08/07/2023 and a press notice was advertised on 22/06/2023 that expired on 16/07/2023. No consultation responses were received during the course of the statutory consultation period.					
CAAC: Bloomsbury CAAC	<p><u>Bloomsbury Conservation Area Advisory Committee (CAAC) – objects</u></p> <ul style="list-style-type: none"> • Unacceptable to fill in and close off a rear yard in any area let alone a conservation area. • Building is completely out of keeping with its surroundings • The outbuilding is poor prefab quality and adds nothing positive in its design or materials • Conservatory nearby is used to set a precedent but it is light in terms of material due to glazing rather than prefab shed • Application should be rejected and enforcement pursued as there is a danger of precedent being use in the future <p><i>Officer's response: Please refer to paragraphs 4.3 to 4.7 in the Design section of the report.</i></p>					

Site Description

The application site is located on the east side of Marchmont Street in close proximity to the junction with Leigh Street to the north. The site comprises a mid-terrace four storey plus basement 19th century building. The basement and ground floor of the building has an authorised use as a dental surgery and the upper floors are within residential use. The surrounding area is mixed in terms of uses with mainly commercial uses on the ground floor and residential uses above.

The building is located within the Marchmont Street Neighbourhood Centre (NC) where it is one of 8 ground floor commercial units that extends from 76 to 98 (evens).

To the north lies the Grade II listed terrace of 1-19 Leigh Street (consecutive). The site lies within sub area 13 (Cartwright Gardens / Argyle Street) of the Bloomsbury Conservation Area. The ground floor shopfront is identified as a shopfront of merit.

Relevant History

APPLICATION SITE

Planning permission was **granted with warning of enforcement action** (ref 2023/0321/P) on 24/04/2023 for external alterations, including replacement of timber framed shopfront and commercial entrance door at ground floor level with aluminium framed shopfront and glazed door; replacement of aluminium framed residential entrance door with timber framed panelled door and fanlight above; and installation of entrance ramp/platform (part retrospective). An informative was attached to the decision notice advising the applicant that the existing aluminium framed glazed residential entrance door located at ground floor level is considered to be harmful to the character and appearance of the host building, local streetscene and Bloomsbury Conservation Area. As such, enforcement action may be taken in relation to this matter should the existing aluminium framed glazed residential entrance door not be replaced by a timber panelled door with a fanlight above in accordance with the approved drawings within 1 month of the date of this decision notice being granted.

Advertisement consent was **withdrawn** (ref 2023/0777/A) for display of non-illuminated flag sign on flagpole fixed at 1st floor level on the front elevation (retrospective).

A certificate of lawfulness for an existing use as dental surgery facilities and storage (ground floor and basement) (ref P9600969R1) was **granted** on 31/10/1996

RELEVANT PERMISSIONS AT NEIGHBOURING PROPERTIES

3 Leigh Street

Planning permission was **granted** (ref 8701915) on 13/04/1988 for change of use including works of conversion to form a self-contained flat and an upper maisonette with the erection of a conservatory at the rear front railings and a roof extension.

Relevant policies

NPPF 2023

The London Plan 2021

Camden Local Plan 2017

A1 Managing the impact of development
A3 Biodiversity
D1 Design
D2 Heritage

Camden Planning Guidance

CPG Amenity
CPG Design

Conservation Area Statement

Bloomsbury Conservation Area Appraisal and Management Plan 2011

Assessment

1.0 BACKGROUND

1.1 An enforcement complaint (ref EN23/0196) was received on 15/03/2023 in relation to the construction of a 1 storey building in the rear yard of no. 96. This application was submitted on 12/06/2023 in order to regularise the unauthorised works.

2.0 PROPOSAL

2.1 Planning permission is sought for the erection of a single storey outbuilding to the rear of no 96 Marchmont Street. As the outbuilding has already been constructed permission is being sought retrospectively. The basement and ground floor of the building has an authorised use as a dental surgery and the outbuilding is used as an office and storage area for the clinic.

2.2 The outbuilding measures 2.81m (depth) by 4.96m (length) by 2.5m (height) and occupies the majority of the existing patio area to the rear of the main building. The outbuilding is of a modular construction with a black frame, a monopitch roof with external elevations clad in thermowood timber. A door provides access on the front (western) elevation with high level windows have been installed on the rear (eastern) elevation. These have been constructed from uPVC.

3.0 ASSESSMENT

3.1 The main considerations as part of the proposal are:

- Design
- Amenity

4.0 DESIGN

4.1 The Council's design policies are aimed at achieving the highest standard of design in all developments. The following considerations contained within policy D1 are relevant to the application: development should respect local context and character; comprise details and materials that are of high quality and complement the local character; and respond to natural features.

4.2 Policy D2 'Heritage' states that in order to maintain the character of Camden's conservation areas, the Council will not permit development within conservation area that fails to preserve or enhance the character and appearance of that conservation area.

4.3 The outbuilding is single storey in height and measures 14 sq. m in its footprint. It would be considered modest in size and scale and would not be considered dominant in relation to the four storey host building. Its finish, using thermowood cladding, is a natural material that is typical of garden type structures and would be considered acceptable. The windows and doors are uPVC. This is not normally supported on design grounds. Given that the outbuilding is at the rear of the host building, and is located at ground floor level on a plot that is landlocked on all sides with no views the use of uPVC would not be considered to have an adverse impact on the character or appearance of the Bloomsbury Conservation Area. The Council's conservation officer has reviewed the proposal and has confirmed, that the use of uPVC in the outbuilding is accepted due to the specific location and site circumstances.

4.4 To the rear of the building there is a patio area covered in concrete slabs. The proposed outbuilding would not result in the loss of a garden or area of soft planting.

4.5 The rear of the site is enclosed by a brick wall measuring between 2.1m and 2.4m. The majority of the outbuilding would be screened from private views from neighbouring properties by the boundary walls. The CAAC has objected to the proposal as the outbuilding covers the majority of the rear yard. The majority of the rear of the buildings along this part of Marchmont Street have been developed with ground floor extensions or new structures including nos. 76; 78 and 80 Marchmont Street. Consequently building a structure in the rear patio area is not out of character with the terrace of properties of which it forms a part. The outbuilding would not be visible from the public realm where

rear yards in this location are often developed and would be considered to preserve the character of the Bloomsbury conservation area.

4.6 Concern has also be raised by the CAAC that the granting of permission could set a precedent for others to build outbuildings like this one. Although the issue of precedent is a material consideration, each planning application must be determined on its own merits. Where there would be inappropriately designed outbuildings or extensions that would not respect the character or appearance of the host building or streetscene and would be harmful to the amenity of the adjoining properties in terms of loss of light, privacy or outlook, the Council may resist further applications on the grounds of inappropriate development.

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

5.0 AMENITY

5.1 Policy A1 seeks to protect the quality of life of occupiers and neighbours by only granting permission to development that would not harm the amenity of residents. This includes factors such as privacy, outlook, implications to natural light, artificial light spill, odour and fumes as well as impacts caused from the construction phase of development.

5.2 The proposed outbuilding due to its height, scale and location would not cause any adverse impacts on the amenity of adjoining residential occupiers in terms of loss of light, or outlook. The windows in the rear elevation are high level windows that face onto the rear gardens of properties fronting onto Leigh Street to the north. The high level windows would not result in overlooking of the windows or gardens of neighbouring properties.

6.0 RECOMMENDATION

6.1 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 4th December 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: 2023/1833/P
Contact: Elaine Quigley
Tel: 020 7974 5101
Email: Elaine.Quigley@camden.gov.uk
Date: 28 November 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

4D PLANNING
86-90 Paul Street
3rd Floor
London
EC2A 4NE
United Kingdom

DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

**96 Marchmont Street
London
Camden
WC1N 1AG**

DECISION

Proposal:

Erection of outbuilding to rear curtilage (retrospective).

Drawing Nos: 4D-342A E01; 4D-324 E02; 4D-342A PE01; 4D-342A PE02; Extract from Smart Garden Office Brochure.

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 shall be carried out in accordance with the following approved plans:

4D-342A E01; 4D-324 E02; 4D-342A PE01; 4D-342A PE02; Extract from Smart Garden Office Brochure.

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).

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-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

DECISION