

## **Full Statement of Case**

**New balcony to rear of upper ground floor flat at 4 Lyme Street, London NW1 0EH**

**Planning applications 2023.4587.L and 2023.2878.P**

An application for Planning and Listed Consent was made to Camden Planning in May 2022 - ref: 2022/1155/4 Flat Upper.

The Planning Officer was initially very helpful and supportive of the balcony and made the following comments in an e-mail dated 22<sup>nd</sup> September 2022.

*Morning Alan ,*

*Thank you for these revisions. I will write up the decisions now recommending the applications for approval. As a result can I please request an extension of time until this coming Friday the 30<sup>th</sup> of September?*

*Many thanks,*

*Enya Fogarty MSc, BA honours  
Planning Officer*

*Supporting Communities  
London Borough of Camden*

We were then sent an e-mail on 2<sup>nd</sup> November 2022, asking us to withdraw the application.

*Hi Alan,*

*Hope you are well and apologies for the delay. I discussed the application further with my manager and it was noted that neighbouring property no. 5 Lyme Street applied for a roof terrace which we refused. The applicant challenged the decision, however the inspector dismissed the appeal. I attach the decision.*

*Additionally existing neighbouring terraces were all approved between 25 and 60 years ago. The inspector notes these but that they are not considered precedents and gives them little weight.*

*This was missed when I originally assessed the proposal, so I apologise. Therefore I would advise that you either withdraw the applications, if not I will have to proceed and recommend for refusal. Please let me know how you wish to proceed by Monday the 7<sup>th</sup> of November.*

*Kind Regards,*

*Enya Fogarty  
Planning Officer  
Supporting Communities  
London Borough of Camden*

We did withdraw the applications issued in 2022, however we have since reviewed the Planning Inspectorate refusal reasons, which were:

**Reasons – both appeals**

*7. The appeal property at 5 Lyme Street is a two-storey semi-detached dwelling (plus lower ground floor). The proposal is to erect a single storey rear extension with a terrace above, a two-storey side extension and to make some internal alterations.*

*8. No 5 is within a row of ten distinctive semi-detached mid-19th century villas, with stucco façades, side porch entrances, hipped slate roofs with projecting eaves, and semi-basements enclosed by black metal railings. The houses are enhanced by decorative detailing, with segmental pediments above ground floor windows and full height pilasters adorning the semi-detached pair at Nos 5 and 6. The properties were listed at Grade II in 1974 and, notwithstanding some variations, present as an attractive and largely consistent group, amidst trees and greenery, on the northern side of this part of Lyme Street.*

*9. The rear elevations, comprising London stock brick above the lower ground floor, are less ornate, which is itself reflective of the original design concept with the more impressive detailing and features reserved for the main front elevation. However, the simplicity of the rear elevations also forms part of the overall significance of the listed buildings. Whilst some houses in the row have been altered or extended over time, No 5 appears to largely retain its principal historic form, notwithstanding some debate between the parties about the age of a small single storey rear addition. The special interest of the appeal building and the group, therefore, derives mainly from the aspects detailed above.*

As such, the main reason for refusing an appeal for the proposed extension to the rear of 5 Lyme Street in July 2019 appears to relate to the construction of a new lower ground floor single storey rear extension, and not necessarily the balcony over.

4 Lyme Street already has a lower ground floor single storey extension (Flat 4A). The owner of the flat has no objection to us forming a balcony above her extension (the balcony to be independently supported, and not reliant on the lower ground floor extension).

We have been helpful with Camden Planning, reducing the size of the balcony as initially requested by Camden Planning on the 2022 application – which now the balcony shown on our plans as part of new applications 2023.4587.L and 2023.2878.P

There are neighbouring properties of the same age and construction as 4 Lyme Street which do have larger balconies at the rear to use as their amenity space. There are numerous properties to the rear of us that face Royal College Street, and all have views that overlook our property.

I do not believe that anyone from Camden Planning have come to the property.

David Alan Lace-Evans

4 Lyme Street, London NW1 0EH