

<b>Delegated Report</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>	21/03/2024
		N/A		<b>Consultation Expiry Date:</b>	31/03/2024
<b>Officer</b>				<b>Application Number(s)</b>	
Sophie Bowden				2024/0297/P	
<b>Application Address</b>				<b>Drawing Numbers</b>	
Basement Flat, 35 Priory Terrace, NW6 4DG				See draft decision notice	
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>		
<b>Proposal(s)</b>					
Erection of outbuilding in rear garden					
<b>Recommendation(s):</b>		Refuse Planning Permission			
<b>Application Type:</b>		Full Planning Permission			
<b>Conditions or Reasons for Refusal:</b>		Refer to Draft Decision Notice			
<b>Informatives:</b>					
<b>Consultations</b>					
<b>Adjoining Occupiers:</b>		No. of responses	1	No. of objections	1
<b>Summary of consultation responses:</b>		One objection was raised from neighbours. Concerns include: <ul style="list-style-type: none"> <li>Outbuilding is too large for the garden and taller than garden buildings in the area</li> </ul> <i>Officer Comments: Design issues are covered in section 2</i>			
<b>CAAC &amp; Local Groups</b>		No objections			

### Site Description

The host property relates to a three-storey plus lower ground floor semi-detached building on the north-western side of Priory Terrace. It is located within the Priory Road Conservation Area (CA) and is identified as making a positive contribution to the character and appearance of the CA in the Priory Road Conservation Area Statement.

The building has been sub-divided into flats. Garden Flat is a 2 bed flat located at lower ground floor level and benefits from sole use of and access to the rear garden.

## Relevant History

### APPLICATION SITE:

9301516 - Application for a certificate of lawfulness for an existing use/operation for five self contained flats on basement ground first second and attic floors. Approved

2019/2373/P – Single storey rear extension – Approved

2022/2682/P – single storey rear extension – Approved

2022/4835/P – Single storey rear extension – Approved

## Relevant policies

### National Planning Policy Framework (2023)

#### London Plan 2021

Camden Local Plan (2017)

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

Camden Planning Guidance

- Amenity CPG (2021)
- Home improvements CPG (2021)
- Biodiversity CPG (2018)

Priory Road Conservation Area Statement (2000)

New Development  
Paragraph P1

Materials and Maintenance  
Para P8

Trees and landscaping  
Paragraph P25, P26, P27

## Assessment

### 1. PROPOSAL

- 1.1. Planning permission is sought for the erection of an outbuilding in the rear garden of the property.
- 1.2. The proposed outbuilding would be 2.6m high, 5.5m wide and 3.0m deep. It will be positioned to the rear of the garden of No. 35 Priory Terrace and will be finished in white render with aluminium doors and a flat roof.

## **2. ASSESSMENT**

### **Design and impact on the conservation area**

- 2.1. The proposed outbuilding would be located within the rear garden, i.e. within the private amenity space for the dwelling. The outbuilding would be finished in white render, with aluminium doors and a flat roof and would extend the majority of the width of the rear garden. Permission has recently been granted under reference 2023/4835/P for a single storey rear extension. The area of the garden is approximately 117sqm, the approved extension would reduce this by approximately 23sqm and the outbuilding would be approximately 16.5sqm.
- 2.2. The ground levels at this property slope up significantly towards the west of the site where the outbuilding will be situated which adds to the prominence of its location when viewed from private gardens.
- 2.3. The proposed outbuilding is excessively large and due to its size and position in the garden and would result in the loss of the sense of openness in the back garden. The design, in white render, is not appropriate for the garden setting in Priory Road CA.
- 2.4. Given the floor area of the proposed outbuilding and its design, roof form and height/width and location, it would result in increased prominence, emphasising its volume and making it an overly dominant and visually overwhelming development. It would also exceed the height of the boundary wall by approximately 1.7m and would therefore be visible in multiple private views from surrounding properties.
- 2.5. As such, the proposed outbuilding is considered to be excessively large for this domestic setting 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 and Priory Road Conservation Area.
- 2.6. The design and proportion of the outbuilding (in relation to the garden) would result in the erosion of green space which is considered to be harmful to the character of the conservation area but also the character of the positive contributor building.
- 2.7. It is important to note that there are other outbuildings in the gardens of Grafton Crescent in close proximity of the site which could be argued to set precedence for this proposal, please see below information regarding these outbuildings:  
  
33 Priory Terrace - Approved under reference 9401232 in 1994. This outbuilding cannot set precedence as it was approved under different policies and guidelines  
  
37 Priory Terrace- Approved under reference PWX0002959 in 2004. This outbuilding cannot set precedence as it was approved under different policies and guidelines
- 2.8. Therefore, the proposal due to its size, bulk and location, would represent an over dominant addition which would cause unacceptable harm to the domestic setting of this site and the character and appearance of the conservation area.

## **3. Amenity**

- 3.1. 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 developments have no adverse impacts by virtue of noise or vibrations.
- 3.2. Although the outbuilding will be visible from properties which share a boundary of this site it is unlikely to have detrimental impact of daylight, sunlight or outlook. Due to the proposed design, there are no

windows serving habitable rooms overlooking the neighbouring gardens.

3.3. Therefore, given the orientation of the building design and distance from the 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 policy A1.

#### **4. Trees, landscaping and biodiversity**

4.1 The priory Road conservation area statement outlines that all trees which contribute to the character and appearance of the Conservation should be retained and protected. Developers will be expected to demonstrate that no trees will be lost or damaged before, during or after development. Paragraph 26 continues that development should have a high standard of external space which should respect the character and appearance of the conservation area.

4.2 From aerial images the site contains several small trees however directly adjacent to the site, within neighbouring gardens there are larger mature trees which will be within close proximity to the proposed outbuilding. An arboricultural report was not submitted as part of this proposal and so, in the absence of this information the Council cannot outline the possible impact on nearby trees and vegetation and what protective measures are to be taken to ensure against damage during and after work. All trees within 10 metres of the development should be clearly identified and evidence should be provided to demonstrate this outbuilding would not have a detrimental impact on the nearby trees. More information is needed and this forms a second a reason for refusal.

4.3 In terms of loss of biodiversity, the outbuilding will not leave ample space to attract wildlife and given the amount of area paved in the rear garden already the proposal would have a negative impact in terms of biodiversity. In the event of an approval the Council would place a condition on the application to ensure a green roof would be incorporated and therefore offset the loss of garden space in terms of biodiversity.

4.4 Overall due the failure to provide information in relation to the protection of trees the proposal fails to comply with policy A3 of the 2017 Local Plan.

#### **5. Recommendation**

5.1. Refuse Planning Permission for the following reasons:

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 setting of the building and the character and appearance of Priory Road Conservation area, contrary to Policy D1 and D2 of the Camden Local Plan 2017.
2. The proposed development, in the absence of an adequate tree report would be likely to be detrimental to the existing trees on site and within the sites directly adjacent and therefore is contrary to policy A3 (Biodiversity) of the London Borough of Camden Local Plan 2017.