

<b>Delegated Report</b>		<b>Analysis sheet</b>	<b>Expiry Date:</b>	<b>11/12/2018</b>
		N/A / attached	<b>Consultation Expiry Date:</b>	<b>09/12/2018</b>
<b>Officer</b>			<b>Application Numbers</b>	
Laura Hazelton			(i) 2018/4991/P (ii) 2018/5482/L	
<b>Application Address</b>			<b>Drawing Numbers</b>	
5 Lyme Street London NW1 0EH			Please refer to decision notice.	
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>	
<b>Proposals</b>				
Erection of single-storey rear extension with associated terrace above, two-storey side extension and internal alterations.				
<b>Recommendations:</b>		(i) Refuse planning permission (ii) Refuse listed building consent		
<b>Application Types:</b>		(i) Householder Application (ii) Listed building consent		

<b>Conditions or Reasons for Refusal:</b>	<b>Refer to Draft Decision Notices</b>					
<b>Informatives:</b>						
<b>Consultations</b>						
<b>Adjoining Occupiers:</b>	No. notified	<b>00</b>	No. of responses	<b>03</b>	No. of objections	<b>03</b>
<b>Summary of consultation responses:</b>	<p>Site notices were displayed between 14/11/2018 and 08/12/2018. A press advert was placed on 09/12/2018.</p> <p><b>3 objections</b> were received from the occupiers of 6, 6a and 7 Lyme Street on the following grounds:</p> <p>Design</p> <ul style="list-style-type: none"> <li>• Far from the side extension matching number 6, it would be totally different; the addition of two side windows (where no windows were intended) would be clearly visible from the street and detract from an otherwise fine building. Just because mistakes have been made in the past, there is no need to repeat them in this hopefully more enlightened age.</li> <li>• The application notes that "There is an established precedent for this proposal, as other properties within this group of listed buildings have been developed and extended in a similar manner." However the single story extensions to the rear of no. 7 and no. 8 were originally a pair of double garages, since converted into living accommodation.</li> <li>• An application was made in 2014 for a larger extension to the lower ground floor which was rejected. Among the grounds for refusal the following statement was included in the appeal rejection - "In coming to this view I fully accept that the existing addition is lawful and was present when the building was first listed. Therefore, even if it would be a departure from the policies now in place, its presence cannot be questioned. However that does not mean further additions that exacerbated any departure from policy have to be subsequently accepted, and to my mind the cumulative concerns I have raised are valid."</li> <li>• An application was made in 2016, to add a bathroom at ground floor level, to match that at no. 6, along with a dormer to the existing loft conversion, to match that at nos. 9 and 10. During consultation it was emphasised that existing extensions on neighbouring properties do not set a precedent and that planning policies had changed since those works were carried out. The application was subsequently withdrawn. We feel it is very important that the Planning Department apply consistency to their decisions regarding these listed properties and would like the above to be taken into consideration when reviewing the application.</li> </ul> <p>Amenity</p> <ul style="list-style-type: none"> <li>• Not only would the proposed rear extension cut out the morning sunlight from the ground floor of number 6, but anyone standing on the roof terrace (apart from at the two ends) could look over the ridiculously out-of-keeping wooden fence directly into the gardens of</li> </ul>					

	<p>number 6 and number 4.</p> <ul style="list-style-type: none"> <li>• The terrace will overlook the clear glass roof I have in my flat which is between a bedroom and the kitchen and would invade my privacy. My daughter would be unable to walk from the bedroom to the bathroom without being seen from the new terrace.</li> <li>• The proposed screening on the terrace will block any direct sunlight into my garden and also affect the light levels in my flat. The direct sunlight in the garden and lack of light in the flat will have a big impact as it is already limited.</li> <li>• The main bedroom in my flat is at the front of the property and according to the proposal will then be next to the main living area. It would be a nightmare if the room next to my bedroom became the main living space with TV, music, loud talking.</li> </ul>
<p><b>CAAC/Local groups comments:</b></p>	<p><b>Lime Street Residents Association</b> objected to the application on the following grounds:</p> <p><i>Our members are unanimous in objecting to the proposed works. This is a listed building and should be treated as such. Whether viewed from the street or the rear the proposed extension degrades the original building. What is the point of having listed buildings if people are allowed to ruin them like this?</i></p>

## Site Description

The application building is a semi-detached villa in use as a single dwellinghouse. It is located on the north side of Lyme Street within the Regent's Canal Conservation Area. The building is Grade II listed, along with nos. 1-10 on the same side of the street. Nos.1-10 form a group listing, and were first listed in May 1974.

The building features a single storey lean-to extension to the rear which appears to be of same age, and a double height, side porch which is original and characteristic of these villas.

## Relevant History

### Application site

No planning records

### 1 Lyme Street

9301384 & 9370228 – Erection of single-storey rear extension. Planning permission and Listed Building Consent granted April 1994.

NB. Approved drawings show the two storey side extension as an existing structure. There are no planning records for the two storey side extension.

### 2 Lyme Street

PEX0300075 & LEX0300039 - First floor extension to existing single storey lean to at rear, blocking up of door to basement level. Planning permission and Listed Building Consent granted April 2003.

NB. Proposals not implemented.

### 4 Lyme Street

HB/2881 & H12/34/24/34114 - Change of use to 2 self-contained dwelling units including works of conversion and erection of a single storey extension at the rear. Planning permission and Listed Building Consent granted November 1982.

### 6 Lyme Street

8970458 & 8903343 - Erection of a rear extension at ground floor level to provide a bathroom for the maisonette. Planning permission and Listed Building Consent granted September 1989.

PEX0200742 & LEX0200743 - Proposed single storey rear extension, and associated internal alterations to a Listed Building. Planning permission and listed building consent granted 25/02/2003.

### 7 & 8 Lyme Street

TP60010/19208 - Erection of garage for four cars at Nos 7 and 8 Lyme Street. Planning permission granted December 1959.

### 7 Lyme Street

2014/0235/P & 2014/0382/L – Extension to rear of lower ground floor, removal of chimney breast and internal alterations. Planning permission and Listed Building Consent refused on 21/02/2014 for the following reasons:

1. The proposed rear extension, by virtue of its scale, bulk and detailed design would fail to preserve and enhance the character and appearance of the conservation area and the setting of the listed building contrary to policies CS14 (Promoting high quality places and conserving our heritage) of the London Borough of Camden Local Development Framework Core Strategy and policies DP24 (Securing high quality design) and DP25 (Conserving Camden's heritage) of the London Borough of Camden Local Development Framework Development Policies.
2. The proposed extension, by reason of the encroachment on to most of the garden area, would be detrimental to the amenity of the occupants contrary to policy CS15 (Protecting and improving our parks and open spaces and encouraging biodiversity) of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 (Securing high quality design) of the London Borough of Camden Local Development Framework Development Policies.

Appeal ref: APP/X5210/A/14/2217363 dismissed 30/01/2015.

2016/4118/P & 2016/4837/L - Erection of lower ground floor side extension and glazed doors to the rear at lower ground floor level. Planning permission and Listed Building Consent granted 25/10/2016.

### 8 Lyme Street

2003/2204/P & 2003/2207/L - Erection of a first floor rear extension. Planning permission and Listed Building Consent refused November 2003 for the following reasons:

1. The proposed first floor rear extension, by reason of dominance, siting, and obtrusiveness, would be detrimental to the appearance and character of the listed building, contrary to policies EN31 (Appearance and character in a conservation area) and EN38 (Preservation of Listed Buildings) of the London Borough of Camden Unitary Development Plan 2000.
2. The proposed first floor extension would be detrimental to the site and its neighbours, due to a generated loss of light and overlooking, contrary to EN19 (Amenity for occupiers and neighbours) of the London Borough of Camden Unitary Development Plan 2000.

### 9 Lyme Street

PE9800716 & LE9800717 - Erection of two single storey extensions at side and rear lower ground floor levels. Planning permission and Listed Building Consent granted December 1998.

PE9900309 & LE9900310 - Excavation of cellar at rear below a conservatory extension at lower ground floor level. Demolition and rebuilding of a conservatory at rear lower ground floor level and excavation of a new basement together with works of underpinning. Planning permission and Listed Building Consent granted August 1999.

## **Relevant policies**

### **National Planning Policy Framework 2018**

### **The London Plan March 2016**

### **Camden Local Plan 2017**

Policy A1 Managing the impact of development

Policy A2 Open Space

Policy D1 Design

Policy D2 Heritage

### **Camden Planning Guidance**

CPG1 Design (July 2015, updated March 2018)

## Assessment

### 1.0 Proposal

1.1 Planning permission and listed building consent are sought for the following works:

- Demolition of existing single storey rear extension measuring 2.7m deep, 2m wide and 2.7m high, and erection of single storey rear extension measuring 3.5m deep, 4.9m wide and 2.9m high.
- Creation of new roof terrace at ground floor level above proposed extension measuring 12sqm, with 1.7m high timber screens to the sides and 1.1m metal railings to the rear.
- Erection of two storey side extension, by extension of existing side porch towards the rear by an additional 0.8m at lower ground level and 2.4m at ground level, to measure a maximum height of 6.1m
- Other alterations including removal of internal partition wall at lower ground floor level and existing rear wall at lower ground level to provide access into new extension; new window opening to side elevation at ground floor level; lowering of rear ground floor window sill to provide access to terrace, and creation of new door opening to provide secondary access to terrace; and demolition of first floor internal partition wall.

### 2.0 Assessment

2.1 The principle considerations in the determination of this application are as follows:

- Design and conservation (the impact of the proposal on the special character of the host Grade II listed building and wider Regent's Canal Conservation Area),
- Amenity (impact on neighbouring amenity in terms of daylight/sunlight, outlook, noise and privacy).

### 3.0 Design and conservation

3.1 The Council's design policies are aimed at achieving the highest standard of design in all developments, including where alterations and extensions are proposed. Policy D1 of the Local Plan 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. Camden's Local Plan is supported by CPG1 (Design) and the Regent's Canal Conservation Area Statement.

3.2 Sections 16 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 ("the Listed Buildings Act") are relevant.

- 3.3 Section 16(2) provides that in considering whether to grant listed building consent for any works to a Listed Building special regard must be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 3.4 Section 72(1) requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area when considering applications relating to land or buildings within that Area.
- 3.5 The effect of these sections of the Listed Buildings Act is that there is a statutory presumption in favour of the preservation of the character and appearance of Conservation Areas and the preservation of Listed Buildings and their settings. Considerable importance and weight should be attached to their preservation. A proposal which would cause harm should only be permitted where there are strong countervailing planning considerations which are sufficiently powerful to outweigh the presumption.

#### Rear extension and terrace

- 3.6 The existing single storey lean-to extension (with no internal access) would be demolished and replaced with a new larger extension increasing the footprint from 5.4sqm to 17.2sqm. The existing door opening measuring 1.2m wide would be replaced with a new widened access between the rear room and extension measuring 2.9m wide. Nibs of 0.7m and 0.8m would be retained demarcating the location of the existing rear wall. The extension would be full width and constructed of matching brickwork with two sets of double doors on to the garden.
- 3.7 Existing extensions can be seen to the rear of the following properties:
- no.1 (granted April 1994, measuring 4.5m wide x 2.8m deep)
  - no.4 (granted November 1982, measuring 4.9m wide x 2.6m deep)
  - no.6 (granted September 1989, permission granted for a small extension measuring 3.25sqm to connect two existing rear extensions and form one full width extension measuring approximately 6m wide x 2.7m deep. There are no planning records for the two existing extensions)
  - nos.7 & 8 (granted December 1959 prior to the buildings' listing, both measuring 4.9m wide x 4.1m deep)
  - no.9 (granted December 1988, measuring 5m wide x 2.6m deep)
- 3.8 The proposed extension would measure 4.9m wide x 3.5m deep, larger than any of the existing extensions aside from those at nos.7 and 8 which were approved before the buildings were listed. It is recognised that there are existing extensions to the rear of the majority of properties within the wider terrace, however, these were all approved between 25 and 60 years ago and in many instances, are not considered to preserve the historic character and proportions of the listed buildings. Although the Council does not object to the principle of a small extension in this location, the proposed development is considered excessive in size and would not respect the historic proportions or layout of the property, overwhelming the rear elevation. In combination with the extent of historic fabric to be demolished to provide access to the rear extension (discussed further below), the development would cause harm to the special character of the host listed building.
- 3.9 The proposed extension would include a new roof terrace above it, accessed from rear ground

floor level openings. The terrace would feature 1.7m high timber screens either side to prevent overlooking into neighbouring properties nos.4 and 6. The additional screening would result in extra unacceptable bulk at a high level which is also uncharacteristic for the terrace, and the use of timber fencing at this high level is considered an inappropriate choice of material, out of character in this location.

### Two storey side extension

- 3.10 With the exception of nos.1, 6 and there are no first floor extensions to the original side porches. Although there are examples of minor extensions at ground floor level, these are fairly small in size and footprint, of limited visibility and do not impact the overall architectural character of the listed buildings. Furthermore, the extension at no.1 appears to have been constructed without planning permission or listed building consent, suggesting it may have been prior to the building's listing, and the extension at no.6 was approved thirty years ago. No.10 also features a fairly sizeable extension to the side porch at lower ground floor level but there are no planning records for this.
- 3.11 It is considered that an extension in this location would harm the plan form of the building and result in a harmful loss of historic fabric. The proposed two storey side extension would be highly visible from the street and would detract from the significant architectural merit of the subject property. It would be out of character with the listed building and would detract from the built form, architectural language and traditional appearance and proportions of the group as a whole. This element of the proposal would fail to preserve or enhance the heritage asset and would cause harm to its special architectural and historic interest.

### Internal and external alterations

- 3.12 The house's plan form is largely intact, comprising pairs of rooms off a stair core. Externally, it appears to survive as built.
- 3.13 The internal plan alterations at lower ground floor would result in the loss of the living room wall and the rear wall of the house, unacceptably compromising the plan form and destroying a large quantity of historic fabric. The historic cellular form would be replaced by an open-plan layout three rooms deep. The rear extension would subsume the existing closet wing, which is of some age, possibly original, and almost entirely conceal the original form of the rear elevation. The enlargement of the side porch wing would also harm the plan form of the building and destroy historic fabric, and would be plainly visible from the street.
- 3.14 At ground floor, the removal of a sash window and a small casement and their replacement with two sets of doors, to access the terrace, would result in loss of historic fabric, and unacceptable harm to the appearance of the building at a high level. The drawings show an existing front to back aperture being blocked up. This type of opening is characteristic at the piano nobile, so its complete blocking-up is considered unacceptable.
- 3.15 At first floor, it is proposed to demolish the stair compartment, instead having the rear room and stairs open directly into the front room. This is harmful in terms of plan form and loss of fabric, contrary to Policy D2.
- 3.16 Two additional windows are proposed in the side wall at ground floor level. These windows,



especially the window to the front bedroom, would be very prominent from the street, and would be uncharacteristic and harmful. It is noted that there are similar windows at nos. 2 and 3, but no.3 was approved in September 1972 and there do not appear to be any planning records for no.2.

#### Design and conservation conclusion

- 3.17 Overall, the proposed development is considered to result in unacceptable harm to the building's special character, appearance, fabric and historic plan form. The level of harm is considered to be less than substantial.
- 3.18 Paragraph 196 of the NPPF states that where a development will lead to less than substantial harm to the significance of a designated heritage asset (as is considered to be the case in this instance), this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. The Council does not consider there to be any public benefits arising from the proposals, nor that the proposals are necessary to secure the ongoing optimum viable use of the building. The building is a single dwelling house, the same use as it was originally constructed as, and would continue to be should the proposed works not be carried out. As such, the proposals would be contrary to policies D1 and D2 of the Camden Local Plan, and it is recommended that planning permission is refused on this basis.

#### **4.0 Amenity**

- 4.1 Policies A1 and A4 seek to protect the amenity of Camden's residents by ensuring the impact of development is fully considered and would not harm the amenity of neighbouring residents. This includes privacy, outlook, noise, daylight and sunlight.
- 4.2 Given the location of the extension to the boundary with no.6, and the existing extension to the rear of this property, the proposed extension would have limited impact on neighbouring daylight and outlook. Two new windows would be introduced to the side elevation at ground floor level serving the front bedroom and new bathroom within the side extension. Given the fact that there are no side windows to no.4, these would not harm neighbouring privacy. A new window would also be included to the side elevation of the rear extension facing no.4; however, this would not directly overlook the existing side window at no.4, and the existing boundary fence and trellis would block any potential overlooking between these windows.
- 4.3 Although not acceptable in design terms, the privacy screens to the sides of the proposed roof terrace would block views into neighbouring windows and ensure the occupants' privacy is protected. Rearward views into neighbouring gardens may be possible, although this is considered no more harmful to neighbouring privacy than existing views from the rear windows. Given the fact that the rear elevations of the terrace are north-facing, the proposed screens would have limited impact on neighbouring light levels to the rear windows of no.4.

#### **5.0 Conclusion**

- 5.1 Overall, the proposed development is considered to result in unacceptable harm to the building's special character, appearance, fabric and historic plan form, contrary to policies D1 and D2 of the Camden Local Plan. As such, it is recommended that planning permission and listed building consent are refused.

