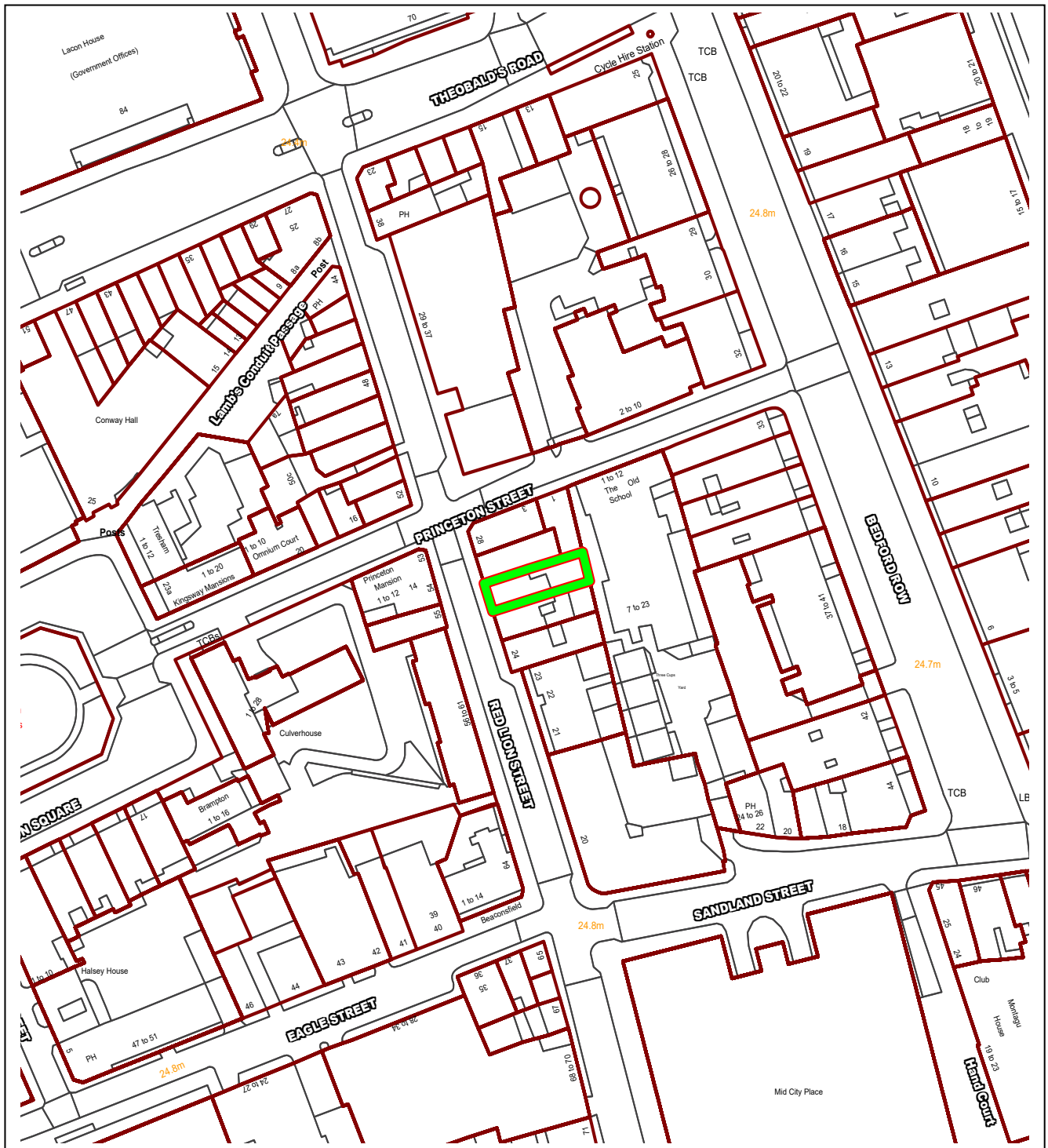


2020/0673/P – 25-26 Red Lion Street, London, WC1R 4PS

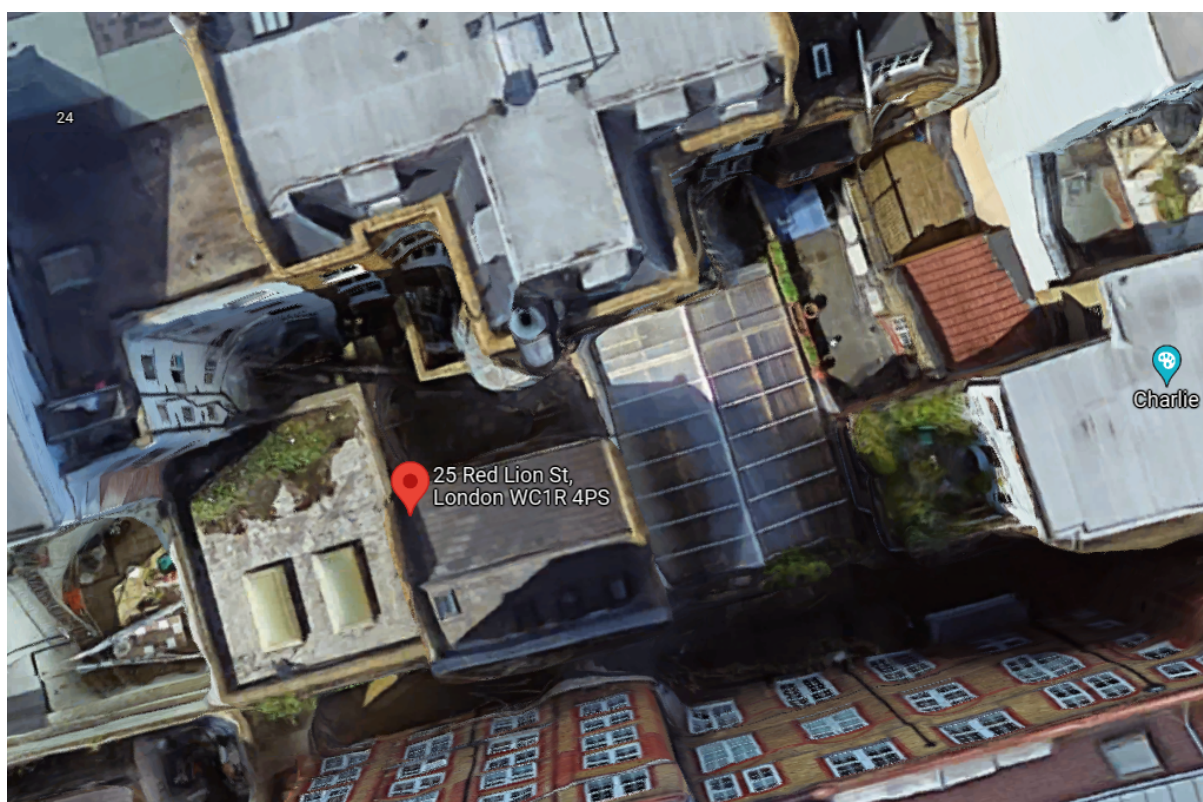


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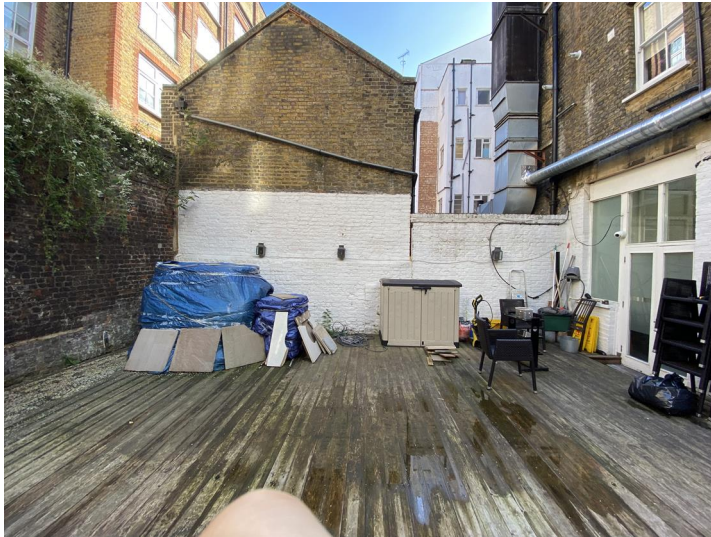
Photos



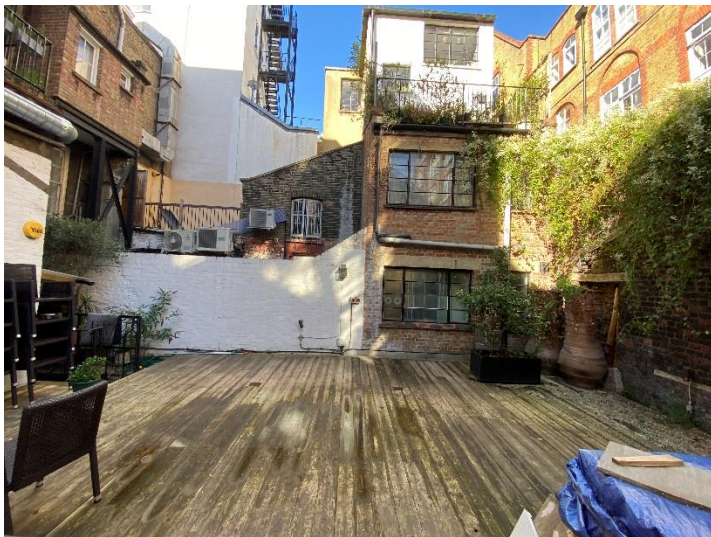
Aerial view of site



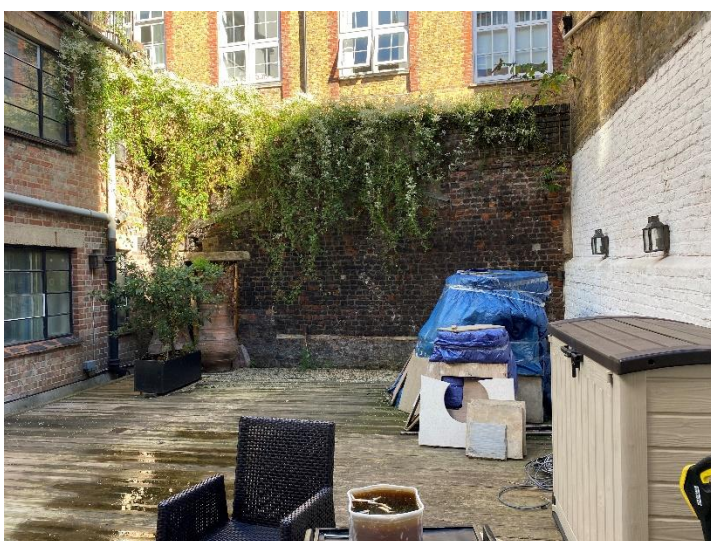
View from the top of the courtyard area. The glazed canopy seen within the courtyard of No.26 Red Lion Street here was removed after the enforcement appeal was dismissed in 2019.



Side view towards No.25 Red Lion Street.



Side view towards No.27 Red Lion Street and No.1 Princeton Street

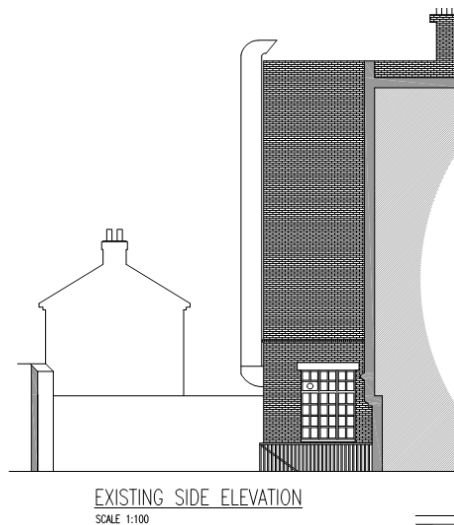
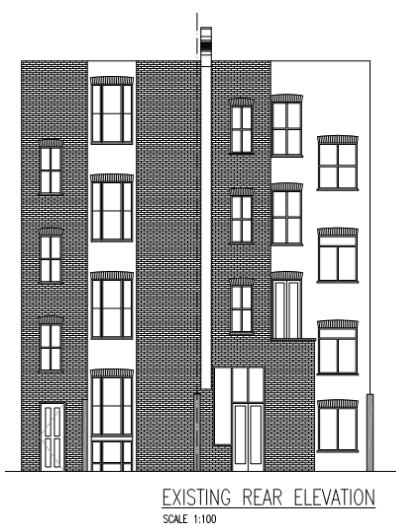
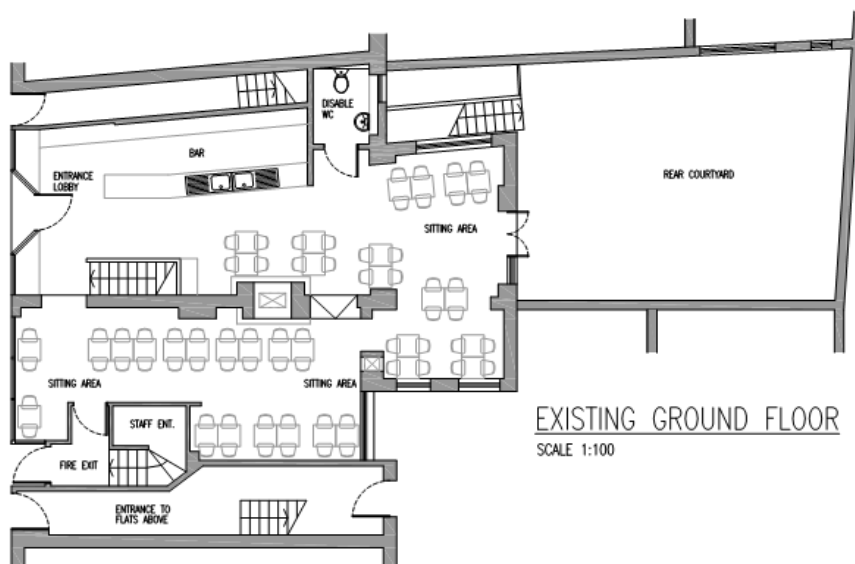


View towards the rear garden

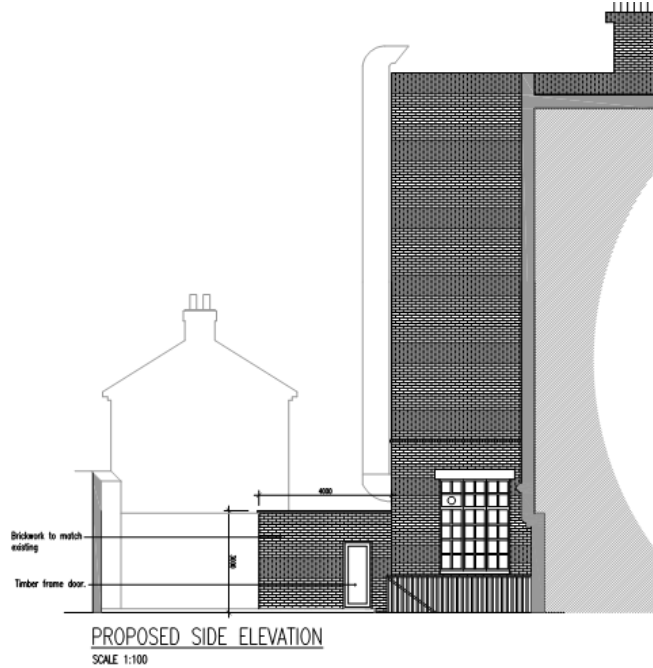
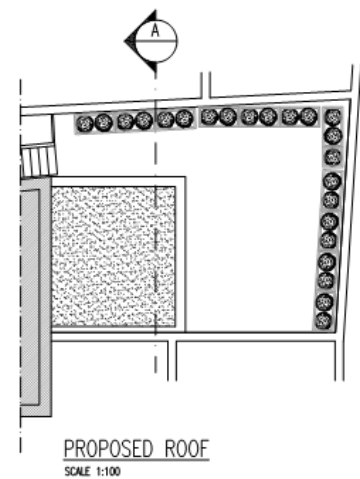
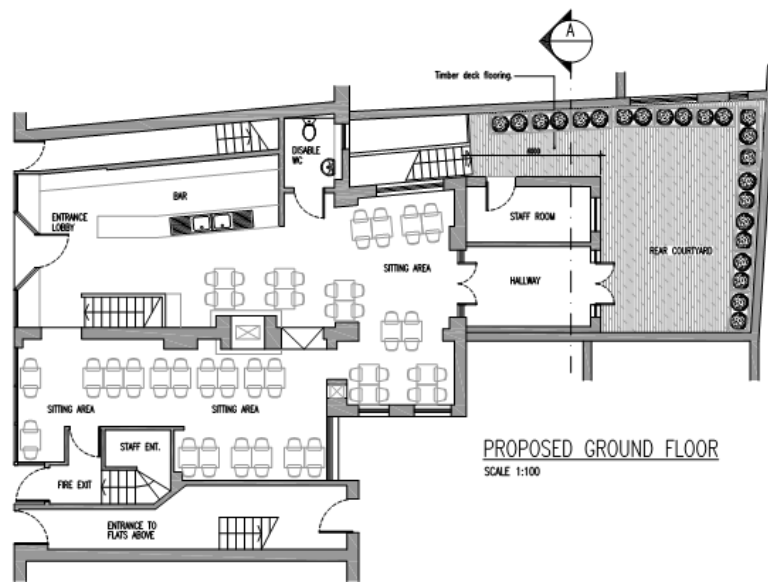


View back towards the restaurant at 26 Red Lion Street.

Existing floor plan and elevation:



Proposed floor plan and elevation:



Delegated Report (Members Briefing)		Analysis sheet	Expiry Date:	07/04/2021
		N/A / attached	Consultation Expiry Date:	03/05/2021
Officer			Application Number(s)	
Jaspreet Chana			2020/0673/P	
Application Address			Drawing Numbers	
25-26 Red Lion Street London WC1R 4PS			<i>See draft decision notice</i>	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Erection of single storey rear extension				
Recommendation:	Grant conditional planning permission			
Application Type:	Full planning permission			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice			
Informatives:				
Consultations				
Summary of consultation:	Two site notice(s) were displayed near to the site on the 03/04/2021 (consultation end date 27/04/2021). The development was also advertised in the local press on the 09/04/2021 (consultation end date 03/05/2021).			
Adjoining Occupiers:	No. of responses	07	No. of objections	06
Summary of consultation responses:	<p>Objections were raised by neighbouring residents of Nos. 25, Flat 1 & Flat 2 Red Lion Street, Flat 13 22 Red Lion Street, 1 Princeton Street, 26 Red Lion Street which are summarised as follows:</p> <ul style="list-style-type: none">• The extension is very close to the back wall of our property. It will block out all light through the window - shown on the plan but conveniently missed off the section.• It will create a dark and useless passage in which nothing will grow. Patio doors are shown opening on to this passage which will allow both noise and smells to be funnelled into our Ground floor. We have had terrible problems with smells from the previous extension because the nature of the restaurant is to allow cooking at the tables and so it is difficult to effectively extract the odour.• The height of the extension will mean the rooflights will overshadow our roof terrace and add to the crowded density of an already very built up area.• If the rooflights are openable that will funnel the noise and smells in to our first floor rooms.• Objection on the grounds of impact on local residents and the local environment due to increased footfall, noise, smoking, waste, fan and odour.• The proposed development is also inconsistent with the principles of the Bloomsbury Conservation Area and will erode the balance of business and residential occupation in Red Lion Street.• The current restaurant since it opened in 2018 has caused a great deal of nuisance to the properties surrounding the restaurant allowing the extension will only make existing matters worse.• Living close to the restaurant residents have experienced: Increased levels of noise, cooking odour, issues surrounding waste.• Rubbish and waste is left out across the pavement in front of the restaurant making the existing pavement narrower to walk through.• Noise disturbance from building works would not be acceptable. <p><u>Officer response:</u></p> <p><i>Officers can confirm that the extension is now intended to be used for a staff room and hallway for the existing restaurant rather than for additional seating space. The extension has also been reduced in size and depth so that it would occupy approximately half the depth of the existing courtyard rather than extending all the way up to the rear boundary.</i></p> <p><i>Please see sections 2, 4 and 5 of the report below for full assessment.</i></p>			

CAAC:

Bloomsbury CAAC were consulted but no comments were received.

Site Description

The application site refers to a double fronted restaurant situated within the ground and basement floors of 25-26 Red Lion Street. The buildings are four storey plus basement with residential on the upper floors and restaurant use on the ground and basement floors. At the rear of No.26 is an open courtyard where the proposed extension would be located. At the rear of No.25 is a two storey building. The surrounding area is a mixture of restaurants, commercial and residential. The building is located within Bloomsbury Conservation Area and is not listed.

Relevant History

2010/5145/P: Erection of single storey rear extension to existing restaurant (Class A3) - Granted on 29/11/2010.

2018/4645/P: Erection of canopy within rear garden (retrospective). – Refused and warning or enforcement action to be taken – 13/12/2018 – Reasons:

1. *'The proposed canopy, by reason of its design, size, siting, material and insubordinate relationship with the host building, is considered to be harmful to the character and appearance of the host building, the open nature of its rear garden, and the character and appearance of this part of the Bloomsbury Conservation Area, contrary to policies D1 (Design), D2 (Heritage) and A2 (Open space) of the London Borough of Camden Local Plan 2017.'*
2. *The proposed development including the introduction of 'at table' cooking, by reason of its location and lack of supporting details to address noise and odour impacts, would cause unacceptable harm to the amenity of surrounding residential occupiers, contrary to policies A1 (Managing the impact of development), A4 (Noise and vibration), and TC4 (Town centre uses) of the London Borough of Camden Local Plan 2017'.*

Bespoke Appeal: Dismissed on 28/08/2019. Following this appeal the existing canopy within the rear garden was removed.

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
- **DM1** Delivery and monitoring

Camden Planning Guidance:

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

Conservation Statements:

- Bloomsbury Conservation Area Statement

Assessment

1. Background

- 1.1. A large timber canopy with a plastic roof was previously erected at the site without the benefit of planning permission which covered the entire rear garden area of no.26. Retrospective planning permission was sought following an enforcement investigation which was refused on 14/12/2018 (ref.2018/4645/P). The reasons for refusal are set out in the planning history section above. An enforcement notice was subsequently issued on 21/12/2018 requiring the total removal of the canopy structure and the garden area to be made good.
- 1.2. The refusal and the enforcement notice were appealed (refs. APP/X5210/C/19/3219958 & APP/X55210/W/19/3220986) which was also dismissed and the enforcement notice upheld. The canopy has since been removed in compliance with the appeal decision.
- 1.3. The erected canopy was considered to be overly large and insubordinate to the host building and its small external amenity area. Neighbouring occupiers fronting the private courtyard area to the east, would have had views from upper windows to the erected canopy roof. The appeal decision also found that *'there would have been a benefit to the restaurant at Nos.25-16 Red Lion Street in having an improved facility for their customer's enjoyment. But there was no public benefit that overrides the harm caused to the appearance of this part of the Bloomsbury Conservation Area'*. The development was considered to be contrary to policies D1, D2 and A2 of Camden's Local Plan. The inspector also agreed with the Council's second reason for refusal that the emanation of cooking fumes and odours from the structure would be harmful to the amenity of neighbouring occupants.

2. The proposal

- 2.1. Planning permission is sought for the erection of a single storey rear extension to the existing ground floor restaurant. The extension would measure: 4m deep, 4.5m wide, 2.4m internal height and 3m external parapet height. The extension would be located within the rear courtyard area, where the unauthorised canopy structure discussed above was located and would occupy approximately 30% of the area as opposed to full site coverage.

3. Revisions

- 3.1. During the course of the assessment revisions to the proposed scheme were submitted in order to appease concerns raised by officers. The revisions made to the proposed scheme can be summarised as follows:
 - Reduction in depth of extension from 8.5m to 4m
 - Removal of two roof lanterns and flat roof to remain
 - The use of the extension changed from more dining space to staff room and hallway
 - Remaining courtyard to have timber decking and planters
- 3.2. The revisions made to the scheme did not materially affect the scheme and as such were accepted as amendments under the ongoing application.

4. Assessment

- 4.1. The principal considerations material to the determination of this application are as follows:

- Design and Conservation
- The impacts upon residential Amenity

5. Design and Conservation

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

- 5.2. The proposed development entails the erection of a single storey rear extension within the courtyard of No.26 Red Lion Street. The extension would be 4m in depth, 4.5m in width and be approximately 3m in height with a flat roof. The extension's design would complement the existing building by being constructed of matching brick and have timber windows and doors within its rear and side elevations.
- 5.3. The proposed extension would occupy approximately 30% of the area that was of the unauthorised glazed canopy which was built and was removed following refusal of the application and said appeal dismissed. The canopy removed was overly large (8.5m in length and 6m wide) and occupied the whole courtyard area, such that it was insubordinate to the host building and to the external amenity area. The proposed extension would be 4m in length and 4.5m in width allowing for a large area of courtyard to remain to the rear of the site. The proposed extension would appear subordinate to the host building and adjacent buildings and would be enclosed within its own garden by high boundary walls either side. It is therefore not considered the extension would be visible from the public realm or long views from the surrounding area.
- 5.4. 39sqm of court yard space within the rear garden would still remain after the extension would be erected, this would be considered sufficient. The proposal also involves new raised timber decking to be laid within the court yard and planters are proposed to be laid around the courtyard, these external alterations would be considered acceptable and would enhance the current hard landscaped courtyard area.
- 5.5. Overall, the extension's design, size, scale and materials would all be considered acceptable and in accordance with the character and appearance of the existing dwelling and the surrounding area.
- 5.6. Subject to the recommended conditions, it is considered that the proposed single storey extension would not cause a detrimental impact upon the character and appearance of the host property and would preserve the special character of the conservation area.
- 5.7. Considerable importance and weight has been attached to the harm and special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, under s.72 of the Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

6. Residential Amenity

- 6.1. 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. Policy A4 seeks to ensure that residents are not adversely impacts upon by virtue of noise or vibrations.
- 6.2. The proposed single storey rear extension would be located along the existing 3m high boundary wall of No.25 Red Lion Street, which also has a two storey building within its rear courtyard. The extension would also be placed 2m away from the 3m boundary wall with No. 27 Red Lion Street and would be 4.5m away from the rear boundary wall. Given the separation distance to the neighbouring boundaries and the enclosed nature of the extension with limited openings and a flat roof it is not considered the proposed extension would cause detrimental harm to the amenities of the neighbouring properties in regards to loss of light, overbearing or overlooking impacts.
- 6.3. Given the built up nature of the site it can be seen that No.1 Princeton Streets (northern boundary) ground floor towards the back has an obscure glazed window which faces towards the rear garden of No.25-26 Red Lion Street. No.1 Princeton Street is currently in F1 (non-residential institution) as a Novelty Automation museum, hosting a collection of homemade arcade games. It appears this window was added to the party wall without planning permission many years ago and has no planning history. Given the separation distance of the rear extension 2.3m away from the existing window and the site not being in residential use, it is not considered the proposed extension would result in a detrimental loss of light to the adjoining occupiers of No.1 Princeton Street.
- 6.4. Although it is proposed to use the rear extension as a staff room, the use could be converted back to restaurant seating use without requiring planning permission. If this is the case, the small footprint of the extension would be unlikely to accommodate a significant number of seats, and as such, would not significantly impact neighbouring amenity by way of noise disturbance. The development is thus

considered to be in accordance with planning policies A1 and A4.

7. Recommendation

7.1. 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 11th October 2021, 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: 2020/0673/P
Contact: Jaspreet Chana
Tel: 020 7974 1544
Email: Jaspreet.Chana@camden.gov.uk
Date: 5 October 2021

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

KCG Partnership Ltd
9 Oaklands Avenue
Hatfield
AL9 7UH
United Kingdom

DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

25-26
Red Lion Street
London
WC1R 4PS

DECISION

Proposal: Erection of single storey rear extension.

Drawing Nos: Site location plan, 18K117/P101, 18K117/P110, 19K117/P201 Rev C, 18K117/P210 Rev B, Planning Statement.

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 must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy D1 and D2 of the London Borough of Camden Local Plan 2017.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans: Site location plan, 18K117/P101, 18K117/P110, 19K117/P201 Rev C, 18K117/P210 Rev B, Planning Statement.

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).
- 2 This approval does not authorise the use of the public highway. Any requirement to use the public highway, such as for hoardings, temporary road closures and suspension of parking bays, will be subject to approval of relevant licence from the Council's Streetworks Authorisations & Compliance Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No 020 7974 4444). Licences and authorisations need to be sought in advance of proposed works. Where development is subject to a Construction Management Plan (through a requirement in a S106 agreement), no licence or authorisation will be granted until the Construction Management Plan is approved by the Council.
- 3 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website (search for 'Camden Minimum Requirements' at www.camden.gov.uk) or contact the Council's Noise and Licensing Enforcement Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444)

Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You must secure the approval of the Council's Noise and Licensing Enforcement Team prior to undertaking such activities outside these hours.

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:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

Chief Planning Officer

DRAFT

DECISION