

Delegated Report		Analysis sheet		Expiry Date:		09/12/2021	
		N/A / attached		Consultation Expiry Date:		19/12/2021	
Officer				Application Number(s)			
Obote Hope				2021/5007/P			
Application Address				Drawing Numbers			
Basement Flat 4 Lyme Street London NW1 0EH				See draft decision notice			
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature				
Proposal(s)							
Erection of an outbuilding in the rear garden.							
Recommendation(s):		Refuse planning permission					
Application Type:		Full Planning Permission					
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:	Site notices Press notices	19/11/2020-25/12/2021 25/11/2021-19/12/2021	No. of responses	0	No. of objections	0	
Summary of consultation responses:	No correspondence received from neighbouring occupiers.						
Regents Canal CAAC	No comments received						

Site Description

The application site is the garden of no. 4 Lyme Street, located on the north-west side of the road. The host building is a listed semi-detached villa, listed along with nos. '1-10' and comprises of two self-contained flats; 1 at the basement level and the other at ground and 1st floor levels; each with independent entrances. The application property is Grade II listed and located within the Regents Canal Conservation Area.

Relevant History

Relevant planning history at the application site:

H12/34/24/34114 - The change of use to two self-contained dwelling units including works of conversion and the erection of a single storey extension at the rear. **Granted** on **10/11/1982**

Relevant policies

- **National Planning Policy Framework 2021**
- **The London Plan 2021**
- **Camden Local Plan 2017**

Policy D1 Design

Policy D2 Heritage

Policy A3 Biodiversity

Policy A1 Managing the impact of development

Policy A4 Noise and vibration

- **Camden Planning Guidance**

CPG Design

CPG Housing

CPG Amenity

CPG Biodiversity

- **Regents Canal Conservation Area**

Assessment

1. Proposal:

- 1.1 Planning permission is sought for the erection an outbuilding in the rear garden of the property at no. 4 Lyme Street for the use as a home/office.
- 1.2 The building would have a floor area of approximately 17sqm, with a height of 2.4m, 3.1m in width and 5.5m in depth to the rear elevation.

2. Considerations:

2.1 The main issues to consider in this application are as follows:

- Design and heritage
- Trees and Vegetation
- Amenity

3.0 Design

Policy Background

3.1 The National Planning Policy Framework (NPPF) paragraph 71. suggests local planning authorities should consider setting out policies to resist inappropriate development of residential gardens. Paragraph 124. indicates that planning policies and decisions should support development that makes efficient use of land, taking into account the desirability of maintaining an area's prevailing character and setting, including residential gardens.

3.2 Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (Act) requires special regard to be paid to the desirability of preserving the building or its setting. In addition, Section 72(1) of the Act requires that with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

3.3 The Council's design policies D1 and D2 are aimed at achieving the highest standard of design in all developments. The following considerations contained within policy D1 are relevant to the current proposal: Development should consider the character, setting, context and the form and scale of host building and neighbouring ones, and the quality of materials to be used. Policy D2 states that the Council will seek to manage development in a way that retains the distinctive character of conservation areas and will therefore only grant planning permission for development that preserves or enhances the special character or appearance of the area.

3.4 CPG Design at para 4.24 indicates, in relation to development in rear gardens, that this should ensure *the siting, location, scale and design has a minimal visual impact, and its visually subordinate to the host garden, not detract from the open character and garden amenity of the neighbouring gardens and the wider surrounding area, use suitable soft landscaping to reduce the impact of the proposed development, ensure building heights will retain visibility over garden walls and fences, use materials which complement the host property and the overall character of the area.*

3.5 The Regents Canal Conservation Area acknowledges that the conservation area is varied in scale and new design should respect the scale of the particular location. Appropriate design for the conservation area should complement the appearance, character and setting of the existing buildings and structures, the canal and the environment as a whole.

Impact on the conservation area and listed building

3.6 The site is a rear yard/garden with limited public visibility. However, the character and appearance of a conservation area is not entirely confined to public views, especially where sites relate to the setting of listed buildings. It is also a matter of consideration under Policy D2 of the Camden Local Plan:

3.7 Paragraph 6.37 states that Development within rear gardens and other undeveloped areas can have a significant impact upon the amenity and character of the area. The Council will protect such spaces in accordance with paragraph 74 of the National Planning Policy Framework. Gardens help shape their local area, provide a setting for buildings, provide visual interest and may support natural habitats.

3.8 Paragraph 6.38 states that spaces above rooflines, gaps between buildings and even small, sometimes isolated pockets of amenity space, can be vital in supporting the notion of openness, provide visual interest, soften the built environment and contribute to wellbeing. These views may also help to define the significance of heritage assets.

3.9 The listed building is part of a group of semi-detached villas built in the mid-nineteenth century and the rear amenity space forms the historic setting of the listed building as well as evidencing the building's significance as part of a villa suburb, characterised by semi-detached dwellings with private rear gardens. The spacious garden provides an important setting to the house which contributes directly to its special interest as an example of a Victorian semi-detached villa.

3.10 The proposed outbuilding would be located within the rear garden, i.e. within the private amenity space for the dwelling. The outbuilding would have a flat roof and a width that would extend across a large part of the north-western boundary of the site. It was also exceed the height of the solid part of the boundary wall. While the footprint of the proposed outbuilding would allow for the retention of some amenity space, given its height, width and massing, the outbuilding would unacceptably diminish the spacious quality of the site and harm the setting of the listed building.

3.11 The existing garden is fully hard landscape with stone paving that measures approximately 50sqm. The proposed outbuilding would occupy approximately 17.5sqm of the existing garden area, and would fail to be subservient to the main dwelling. Furthermore, the proposed structure would be clad in untreated timber cladding with a rubber roof membrane. The outbuilding would also consist of bi-fold aluminium opening to the east elevation (front) with aluminium window on the southern side and no windows are proposed on the western elevation. The neighbouring context shows that the prevailing character of the area is mainly garden sheds. As such, the

proposed outbuilding would appear as an incongruous addition within this context. The design and proportion of the outbuilding (in relation to the garden) would result in a large building close to the dwelling, undermining the residential garden character at the rear of the property. The harm to the character of the conservation area, and the setting of the listed building, would be less than substantial. Nonetheless, the harm has been given considerable weight.

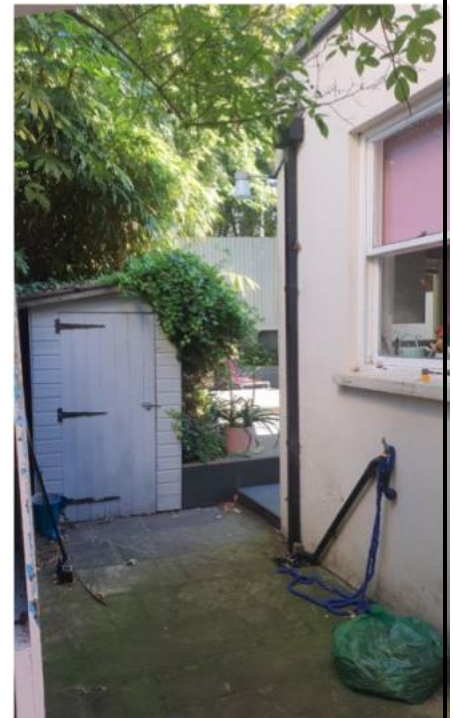


Image.1 showing the rear elevation as existing.

4. Trees and vegetation

4.1 Policy A3 of the Local Plan states that the Council will resist the loss of trees and vegetation of significant amenity, historic, cultural or ecological value, including proposals which may threaten the continued wellbeing of such trees and vegetation, and it requires that the retained trees and vegetation are satisfactorily protected during the demolition and construction phase of development. It also advises that where the harm to the trees or vegetation has been justified by the proposed development it is expected that development should incorporate replacement trees or vegetation. However, given that the existing garden is fully paved it's unlikely that the proposal would have an impact on the existing trees and vegetation to form a reason for refusal.

5. Amenity

5.1 The proposal would sit in the rear garden of no. 4, away from other residential buildings. Given its location, no reduction of daylight, sunlight, or outlook would be caused to the occupiers of neighbouring properties.

5.2 Due to the proposed design, there are no windows serving habitable rooms overlooking the neighbouring gardens, and no overlooking would be caused to the future occupiers of the application building.

5.3 The proposed structure to be used as an office which would intensify the use of this part of the

garden, bringing additional noise and light pollution in an area which generally is kept dark and tranquil. However, given the distance from other residential dwellings, it is unlikely that the proposal would harmfully affect the quality of life of neighbouring occupiers.

6.0 Recommendation

6.1 Given the above, the proposed development would fail to preserve the character and appearance of the conservation area and would erode the setting of the nearby listed building thereby causing harm to its special interest. The proposal would harm both the setting of the listed building and the character of the conservation area, and although the harm is less than substantial, there are no public benefits that would justify approval and so the application is considered unacceptable.

7. Recommendation:- Refuse planning permission.

