

Delegated Report		Analysis sheet		Expiry Date:		23/03/2022	
		N/A / attached		Consultation Expiry Date:		27/03/2022	
Officer				Application Number			
Edward Hodgson				2022/0303/P			
Application Address				Drawing Numbers			
85 Gloucester Avenue London NW1 8LB				See decision notice.			
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature				
Proposal							
Erection of a bin and cycle store in front garden (Retrospective).							
Recommendation:		Refuse and Warning of Enforcement Action to be taken					
Application Type:		Householder Application					
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:		No. notified	00	No. of responses	00	No. of objections	00
Summary of consultation responses:		A site notice was displayed 02/03/2022 to 26/03/2022 The application was advertised in the press from 03/03/2022 to 27/03/2022 No responses were received.					
Primrose Hill CAAC		Primrose Hill Conservation Area Advisory Committee raised an objection on the following grounds: <ul style="list-style-type: none"> Accuracy of the submitted drawings – actual structures are higher than shown on the application drawings The store is obtrusively visible from public realm and screening is insufficient The development neither preserves nor enhances the character and appearance of the conservation area. 					

Site Description

The application site is a three-storey Victorian terraced property with a mansard roof extension and a lower ground floor. It has been constructed with traditional stock brick and a white render finish on the ground floor. The site is not listed but is located within the Primrose Hill Conservation Area and is regarded as making a positive contribution to the conservation area.

Relevant History

2017/7092/P - Erection of a two-storey lower and ground floor infill rear extension with rooflight, conversion of front vaults into wc/utility room, raising of the garden level and addition of metal access staircase to front lightwell, all in connection with single dwelling (Class C3). **Granted – 30/04/2018**

2017/7094/P - Erection of roof extension with front dormers and rear roof terrace with balustrade to create additional habitable space for dwellinghouse. **Granted – 13/04/2018**

PE9606095R1 - Construction of a conservatory to the side of the rear addition at lower basement level, new ironwork railings within the front garden, enclosure of the area under the front stairs by the erection of a wall at basement level and the erection of a new gate. As shown on drawing nos. 85GA.0, 1, 3(1), 4, 5(1), 6, 7, 8 and letter dated 07/11/96. **Granted – 04/04/1997**

PE9800342 - The retention of a timber pergola and trellis fencing in the front garden. As shown on Photographs marked 1, 3, 4 and 6. **Refused – 26/06/1998**

Reasons for refusal:

- Timber pergola and trellis are inappropriate and out of character in that they form a feature.
- The structures are considered to be visually obtrusive and detract from the character and appearance of the conservation area and host property.

Relevant policies

National Planning Policy Framework (2021)

London Plan (2021)

Camden Local Plan (2017)

A1 Managing the impact of development

D1 Design

D2 Heritage

Camden Planning Guidance

CPG – Home improvements (2021)

CPG - Amenity (2021)

CPG – Design (2021)

Primrose Hill Conservation Area Statement (2000)

Assessment

1.0 Proposal

1.1 Retrospective planning permission is sought for the erection of a bin and bike store in the front garden. The store is located adjacent to the front boundary wall on which a hedge in a planting trough has been placed in order to screen the structure and is also adjacent to the boundary wall shared with no. 87. The store is in timber and has a green roof.

The main issues to consider in this case are as follows:

- Design and conservation;

- Amenity

2.0 Design and Conservation

- 2.1 The Council's Design 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. Development should- respect the local area in context and character; preserve or enhances the historic environment and heritage assets; comprise details and materials that are of high quality and complement the local character; integrate well with the surrounding streets; respond to natural features and preserves gardens and other open space; incorporate high quality landscape design and maximise opportunities for soft landscaping, preserve strategic and local views. Policy D2 requires that development within a conservation area preserves or enhances the character or appearance of the conservation area and where relevant preserves trees and garden spaces which contribute to the character and appearance of the conservation area.
- 2.2 Guidance contained within CPG Home Improvements states that boundary treatments are one of the most prominent elements of a home within the streetscene. The way the boundary relates to the host and surrounding properties has a strong contribution to the character of the host property and wider area. Garden storage, if not designed carefully, could take over garden areas. CPG Design states that waste storage areas should be sensitively designed and located in relation to the local environment especially in conservation areas.
- 2.3 The Primrose Hill Conservation Area Statement states that particular care should be taken to preserve the green character of the conservation area by retaining garden spaces. Gloucester Avenue is identified as one of the grand terraces of the conservation area, considered to make a positive contribution not only due to its architecture but also front garden areas with low brick walls.
- 2.4 The existing bin and cycle store structure measures 1.35m high, 3.78m wide and 2.3m deep. The front garden at no. 85 is raised above the pavement level by approx. 0.4m and the front boundary wall measures 1m high from the pavement level, with additional planters placed on top of the wall measuring 0.33m high. As a result, the bin store protrudes significantly above the front boundary wall and side boundary wall with neighbouring no. 87. The store is thus highly visible in long views from the public realm. The store reads as a bulky and incongruous addition that detracts from the green appearance of front gardens in the conservation area. The store has a significant visual impact on the appearance of the streetscene and conservation area. The scale of the store is considered excessive within the context of the front garden, and as a result, does not read as being subordinate to the front garden area and thus detracts from the appearance of the host building, which is a positive contributor to the conservation area. The height of the store, and its protrusion above the boundary walls, is out of keeping with the appearance of front gardens in this area. The existing planting is insufficient to provide adequate screening, and there is no screening on the boundary with no. 87 which makes the store highly visible in views south down Gloucester Avenue. There is also no guarantee that the hedge planting on the front wall and adjoining the entrance will be well maintained in perpetuity so that it could die in future and reveal the structure even more in both front and side views.
- 2.5 Although there are a number of bin stores in front gardens on this side of the terrace, including at nos. 119 and 109, they all have minimal visual impact from the public realm and are well screened behind front boundary treatments. Furthermore, acceptable development elsewhere on the terrace is not justification alone for allowing harmful development at the application site. The bin store, by virtue of its height, size and location, would fail to preserve or enhance the character and appearance of the conservation area and refusal is thus warranted on this basis.
- 2.6 Overall it is considered that the structure appears as a visually dominant and incongruous addition to the front elevation of the host building and thereby detracts from the character and appearance of the host property, streetscape and conservation area. Thus, the bin and cycle store is harmful to the character and appearance of the streetscene and wider conservation area, contrary to policy D1 and policy D2 of the Local Plan 2017.

3.0 Amenity

- 3.1 Policy A1 of the Local Plan seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered. Policy A1 seeks to ensure that development protects the quality of life of occupiers and neighbours by only granting permission to development that would not harm the amenity of neighbouring residents. This includes privacy, outlook, daylight and sunlight.
- 3.2 Given the nature of the proposal, there would be no impacts on residential amenity.

4.0 Refused and Warning of Enforcement Notice to be Issued

4.1 That the Borough Solicitor be instructed to issue an **Enforcement Notice** under Section 172 of the Town and Country Planning Act 1990 as amended to remove the bin and cycle store and restore the garden to the design prior to the breach taking place and officers be authorised in the event of non-compliance, to commence legal proceedings under Section 179 or other appropriate power and/or take direct action under Section 178 in order to secure the cessation of the breach of planning control.

4.2 The notice shall allege the following breaches of planning control:

The erection of a bin and cycle store in front garden.

4.3 What are you required to do

1. Removal of the bin and cycle store in the front garden
2. Make good any resulting damage

4.4 Period of Compliance: 3 Months

4.5 REASONS WHY THE COUNCIL CONSIDER IT EXPEDIENT TO ISSUE THE NOTICE:

The bin and cycle store, by reason of its height, size and location, is considered to be a dominant and incongruous feature that is harmful to the character and appearance of the host building, streetscene and Primrose Hill Conservation Area, contrary to policies D1 (design) and D2 (heritage) of the London Borough of Camden Local Plan 2017.