

Application ref: 2022/3063/P
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Date: 26 April 2023

Development Management
Regeneration and Planning
London Borough of Camden
Town Hall
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London
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planning@camden.gov.uk

www.camden.gov.uk/planning

JAS Design
83a Wrotesley Road
London
NW10 5UD

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:
30A South Hill Park
London
NW3 2SB

Proposal:
Erection of a new outbuilding to replace existing shed in the rear garden.
Drawing Nos: 22/017/001; 22/017/002; 22/017/003; 22/017/004; 22/017/005;
22/017/006; Arboricultural Impact Assessment Method Statement and Tree Protection
Plan by Trevor Heaps Arboricultural Consultancy Ltd dated July 2022.

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 The development hereby permitted shall be carried out in accordance with the following approved plans:
22/017/001; 22/017/002; 22/017/003; 22/017/004; 22/017/005; 22/017/006;

Reason: For the avoidance of doubt and in the interest of proper planning.

- 3 Prior to the commencement of works on site, tree protection measures shall be installed and working practices adopted in accordance with the approved arboricultural report (Arboricultural Impact Assessment Method Statement and Tree Protection Plan by Trevor Heaps dated 14th July 2022). All trees on the site, or parts of trees growing from adjoining sites, unless shown on the permitted drawings as being removed, shall be retained and protected from damage in accordance with BS5837:2012 and with the approved protection details. The development shall be monitored by the project arboriculturalist in accordance with the approved report.

Reason: To ensure that the development will not have an adverse effect on existing trees and in order to maintain the character and amenity of the area in accordance with the requirements of policies A2 and A3 of the Camden Local Plan 2017 and policy N2 of the Hampstead Neighbourhood Plan 2018.

- 5 The outbuilding hereby approved shall only be used for ancillary purposes to the dwellinghouse at 30a South Hill Park and shall not be used as a separate residential dwelling or business premises.

Reason: In order to protect the residential amenities of neighbouring occupiers and to prevent substandard living accommodation and excessive on-street parking pressure in accordance with policies A1, H6 and T2 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Reasons for granting permission.

A new timber outbuilding would be constructed to replace an existing small shed in the rear garden which faces onto Hampstead Heath. Supporting text 6.40 of Policy A2 identifies Hampstead Heath as Metropolitan Open Land (MOL) where the openness and character of the space shall be strongly protected. The site in question is located in land immediately adjacent to Hampstead Heath (MOL) and is also on land designated as Private Open Space (POS). Therefore, any development on this site needs to take account of the setting and appearance of this part of the adjoining MOL and the appropriateness of buildings on POS. Any development on sites adjacent to open space should respect the size, form and use of that space and not cause harm to its openness or character. In addition to this, Camden's Design Guidance (CPG) Design confirms that the Council will resist development that occupies an excessive part of the garden and the loss of garden space which contributes to the character of the townscape.

The timber outbuilding would measure 21sqm and would include a monopitched roof that would measure 2.5m to the eaves and 3m to the ridge. A timber pergola would be attached to the outbuilding structure. The

outbuilding would be finished using timber cladding which is a natural material that is typical of garden structures. The rear garden measures between 24 and 26m in length and is approximately 245sqm in area. The garden structure would take up approximately 10% of the garden and would be modest in size in relation to the garden as a whole and would be considered subservient in size. Due to the sloping nature of the rear garden and the height of the outbuilding, it would be mainly screened from any public views from beyond the high level embankments of the Heath immediately to the west of the site and dense woodland growth. The outbuilding would not harm the openness or character of this part of Hampstead Heath and would be considered acceptable.

The location of the outbuilding within the garden is not immediately behind the host property but is approximately 16.7m to the rear. This leaves the rest of the garden open and well vegetated and therefore its location is not considered to detract from the open character of the garden. As stated above, the garden of the property is designated as POS. Policy A2 para 6.37 advises in relation to undeveloped areas including gardens that the Council will resist development that occupies an excessive part of the garden and the loss of garden space which contributes to the character of the townscape. The proposed size and use of the outbuilding is considered to be both limited development and ancillary to the existing dwelling. A large proportion of open rear garden space will remain. Views of the outbuilding would remain limited due to its modest size and location within the garden and would not be considered to detract from the partially open character of the rear gardens along this part of South Hill Park. The building would preserve the character and appearance of the conservation area.

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 Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

The outbuilding would be used as a summer house/ garden office with toilet and shower facilities and an integrated shed. In order to ensure that the outbuilding remains ancillary to the existing dwelling, a condition would be attached to ensure that the studio is used for the residential dwelling only.

The proposed works would not have any impact on the amenity of neighbouring occupiers in terms of loss of light, outlook or privacy and would be considered acceptable.

2 Reasons for granting permission (Continued)

An arboricultural report has been submitted in support of the application. No trees are proposed for removal as part of the proposal. The impact of the development on the trees to be retained would be of an acceptable level due to the use of pile and beam foundations. The tree protection details would be considered sufficient to demonstrate that the trees to be retained within the rear garden would adequately be protected. A condition would be attached to ensure the proposed works are carried out in accordance with the approved tree report.

A sedum roof would be installed on the sloping roof of the outbuilding. This is welcomed and would improve visual amenity and biodiversity.

No comments have been received in relation to the application. The planning history of the site have been taken into account when coming to this decision.

As such, the proposed development is in general accordance with policies A1, A2, A3, A4, D1, D2 and CC2 of the London Borough of Camden Local Plan 2017 and policies DH1, DH2, NE1 and NE2 of the Hampstead Neighbourhood Plan 2018. The proposed development also accords with the London Plan 2021 and the National Planning Policy Framework 2021.

- 3 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.
- 4 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).
- 5 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:

<https://www.gov.uk/appeal-planning-decision>.

If you submit an appeal against this decision you are now eligible to use the new [submission form](#) (Before you start - Appeal a planning decision - GOV.UK).

Yours faithfully

A handwritten signature in black ink, appearing to read 'DPope', is positioned above the printed name and title.

Daniel Pope
Chief Planning Officer