

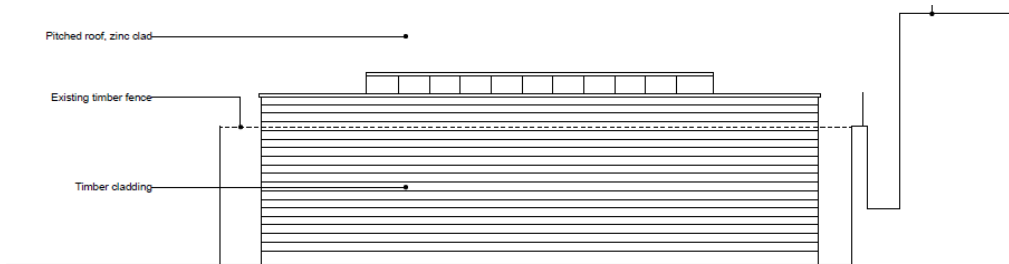
6 Downside Crescent, NW3 2AP 2022/5087/P



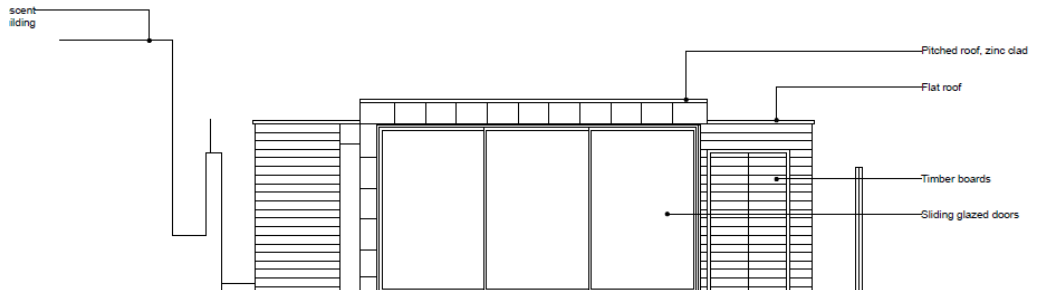
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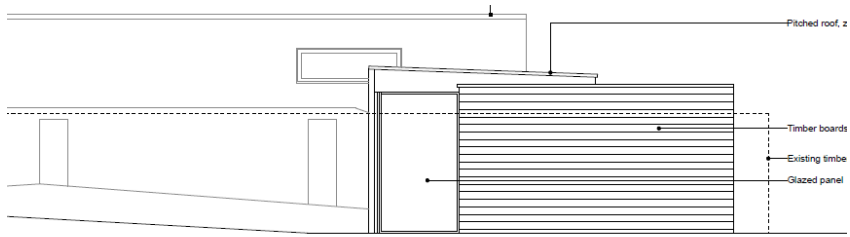
Aerial imagery of the application site marked in red



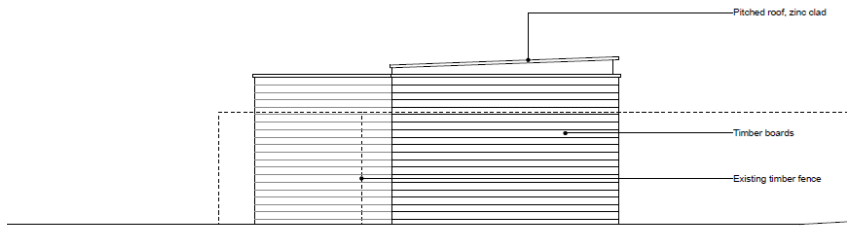
Rear Elevation



Proposed rear (top) and front (bottom) elevations

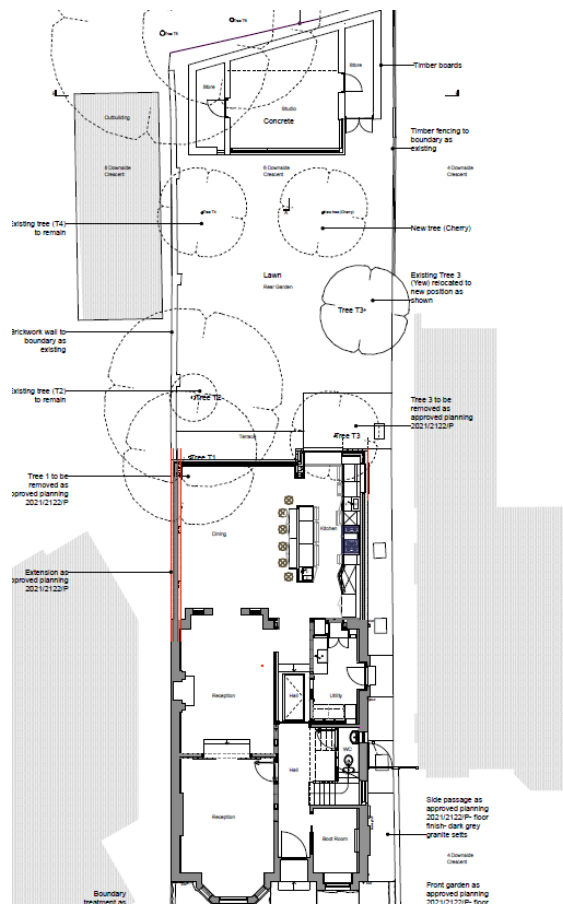


Side Elevation



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Proposed side elevations



Proposed site plan

| | | | | |
|--|---------------------------------------|-----------------------|-------------------------------------|-------------------|
| Delegated Report | | Analysis sheet | Expiry Date: | 16/01/2023 |
| (Members Briefing) | | N/A / attached | Consultation Expiry Date: | 08/01/2023 |
| Officer | | | Application Number(s) | |
| Enya Fogarty | | | 2022/5087/P | |
| Application Address | | | Drawing Numbers | |
| 6 Downside Crescent London NW3 2AP | | | <i>See draft decision notice</i> | |
| PO 3/4 | Area Team Signature | C&UD | Authorised Officer Signature | |
| | | | | |
| Proposal(s) | | | | |
| Construction of a rear outbuilding | | | | |
| Recommendation: | Grant conditional planning permission | | | |
| Application Type: | Householder application | | | |

| | | | | |
|---|---|-----------|-------------------|-----------|
| Conditions or Reasons for Refusal: | Refer to Draft Decision Notice | | | |
| Informatives: | | | | |
| Consultations | | | | |
| Summary of consultation: | <p>Site notices were displayed near to the site on the 09/12/2022 (consultation end date 02/01/2023).</p> <p>The development was also advertised in the local press on the 15/12/2022 (consultation end date 08/01/2023).</p> | | | |
| Adjoining Occupiers: | No. of responses | 01 | No. of objections | 01 |
| Summary of consultation responses: | <p>One response was received from the neighbouring property (to the rear) no. 82 Lawn Road. Their objection can be summarised as follows:</p> <ol style="list-style-type: none"> 1. The height of the outbuilding is excessive and how close it is to neighbouring property no.82 Lawn Road. 2. Concerned about trees within the application site as a result of the proposed outbuilding. <p><u>Officer's response</u></p> <ol style="list-style-type: none"> 1. <i>The outbuilding was reduced in height from approximately 3.7m to 2.8m which is considered acceptable. The proposed outbuilding would be set in from the boundary fence facing no. 82 Lawn Road. Due to the location and the separation distance from neighbouring property no.82 Lawn the proposal is considered acceptable and would not harm neighbouring property in terms of outlook.</i> 2. <i>See Tree section 5 of the report</i> | | | |
| Belsize CAAC | <p>A letter of objection was received on behalf of the Belsize CAAC (who also manage the Parkhill CAAC). Their objection can be summarised as follows:</p> <ol style="list-style-type: none"> 1. The area of the proposed outbuilding should not exceed that allowed under permitted development. 2. Its height should be kept to a minimum throughout. 3. The amount of glazing is excessive and could lead to problems of light pollution. <p><u>Officer's response</u></p> <ol style="list-style-type: none"> 1. <i>The proposed outbuilding would not exceed what would be allowed under permitted development in terms of footprint due to the size of the outbuilding and the size of the existing garden. Nonetheless this is a planning application and not a certificate of lawfulness and it is assessed against local policies.</i> 2. <i>The outbuilding was reduced in height from approximately 3.7m to 2.8m which is considered acceptable.</i> 3. <i>The amount of glazing was reduced on the proposed front elevation. Due to the location and the amount of glazing, and the distance from neighbouring properties, it is not considered that the proposed outbuilding would harm neighbouring amenities in terms of light pollution.</i> | | | |

Site Description

The application site contains a large, semi-detached, two storey residential property with roof additions, on the eastern side of Downside Crescent. The property is set within a generous curtilage.

The property is within the Parkhill Conservation Area, and is noted as a positive contributor within the conservation area statement. There are no nearby Listed Buildings which would be impacted as a result of the works.

Relevant History

The planning history for the application site can be summarised as follows:

Application site

2021/2122/P - Erection of a single storey rear extension incorporating a green roof (following demolition of an existing rear extension), installation of a Juliet balconies at first floor rear elevation level, replacement of existing windows with double glazing, alterations to front driveway boundary treatment including driveway resurfacing and installation of a timber bin store. Creation of a rear patio and associated external alterations. **Granted 21/12/2021.**

Neighbouring properties

33 Downside Crescent

2023/0307/P - Erection of single storey outbuilding in rear garden. **Granted 09/04/2023**

9 Downside Crescent

2023/0364/P - Erection of free-standing outbuilding in rear garden. **Granted 11/05/2023**

8 Downside Crescent

2018/1238/P - Erection of an outbuilding in rear garden, for use incidental to the use of the host property. **Granted 19/06/2018**

Relevant policies

National Planning Policy Framework 2021

The London Plan 2021

Camden Local Plan 2017

A1 Managing the impact of development

A2 Open space

A3 Biodiversity

CC2 Adapting to Climate Change

CC3 Water and Flooding

D1 Design

D2 Heritage

Camden Planning Guidance (CPG)

Design (March 2021)

Amenity (March 2021)

Home Improvements (March 2021)

Parkhill and Upper Park Conservation Area Appraisal and Management Strategy (2011)

Assessment

1. The proposal

1.1. Planning permission is sought for the erection of a single storey outbuilding in the rear garden. The outbuilding will be approximately 2.8m in height with a green roof, have a depth of 5m and width of 8m. Its footprint would be 40sq.m. It would be used for ancillary purposes to the main dwelling.

2. Revisions

2.1 During the course of the application following officer feedback, the outbuilding was reduced in height from 3.7m to 2.8m and the glazing on the front elevation was reduced.

3. Design and Conservation

3.1. Local Plan policies D1 (Design) and D2 (Heritage) are aimed at achieving the highest standard of design in all developments. Policy D1 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.

3.2. It is noted that the properties along Downside Crescent benefit from large and deep rear gardens. The proposed outbuilding would have a maximum height of 2.8m and a footprint of 40 sqm. Due to the large size of the garden, the outbuilding would read as a modest subordinate structure within the rear garden landscape. Sufficient garden space would still be retained. It is noted that the outbuilding in this location would not appear out of context with the prevailing pattern of development. Additionally, it is noted, a similar sized outbuilding was granted at the neighbouring property no.8 under ref 2018/1238/P which measured 38.2sqm externally. Given these factors, whilst it is acknowledged the outbuilding has a larger footprint than is generally considered to be acceptable, the proposal in this instance is considered to be of a scale which can be considered incidental and visually subordinate to the main property. A condition has been included to ensure its use remains incidental to the host building.

3.3. The outbuilding would be of a contemporary design, finished with large elements of glazing and timber cladding. The design is considered to be acceptable in this instance, being a clear modern addition to the garden, which by reason of its material finish and scale (in context) would be a clearly subordinate feature to the host property. The outbuilding would be situated a significant distance from the main property, amongst established mature and semi-mature trees/planting.

3.4. A green roof is proposed, which is welcomed for its biodiversity benefits and a condition is attached securing details of it and its installation.

3.5. Whilst it is noted that the property is within the Parkhill Conservation Area, due to its location, limited visibility and appropriate design, it would serve to preserve the character, appearance and historic interest of the conservation area.

3.6. Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013. The siting and design of the proposal would ensure no harm is caused to the character of the host building and surrounding conservation area, in accordance with policies D1 and D2 of the Camden Local Plan.

4. Residential Amenity

4.1. 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 impacted by noise or vibrations.

4.2. The proposed building would measure 2.8m in height and would be set in from the side and rear boundary fences facing neighbouring properties. Given the separation distance to surrounding properties, and the height of the outbuilding and existing boundary fences, the proposed outbuilding would not result in undue harm to the daylight, sunlight or outlook of surrounding properties.

- 4.3. Similarly, given the incidental nature of the proposed outbuilding to the host single family dwellinghouse, the addition is unlikely to result in a significant level of noise disturbance. Again, a condition has been attached to ensure the use is incidental to the main property.
- 4.4 It is acknowledged that the side elevation facing 4 Downside Crescent has glazing, however it is noted that this is small and would only be partially visible above the side boundary fence. As a result, this could allow views of the neighbouring garden (no.4). However, given the height of the side boundary fence, this would be minimal and would not be of a degree that caused a loss of privacy.
- 4.5 It is considered given the amount of the glazing and the separation distance to neighbouring properties; the outbuilding would not result in harmful lightspill or disturbance to neighbours.
- 4.5. The proposal is considered not to result in harm to neighbouring amenity in any other regard.
- 4.6. Overall, the proposal is considered to be acceptable in terms of its impact on privacy, outlook, sunlight, daylight, overshadowing, artificial light levels, noise, and vibration.

5. Trees

- 5.1 The outbuilding has been supported by an arboricultural report and no trees would be removed as part of the proposal. This has been assessed by the Council's Tree Officer and is acceptable. The Tree Officer has requested two additional pre-commencement conditions to provide details of tree protection measures and are recommended to be added to any permission.
- 5.2 The proposal includes a green roof which would contribute to the biodiversity of the site, details of which would be secured by condition.
- 5.3 As such, the proposed development is in general accordance with policies D1, D2, A1 and A3 of the London Borough of Camden Local Plan 2017, the London Plan 2021, and the National Planning Policy Framework 2021.

6. Recommendation

- 6.1. 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 26th June 2023, 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: 2022/5087/P
Contact: Enya Fogarty
Tel: 020 7974 8964
Email: Enya.Fogarty@camden.gov.uk
Date: 20 June 2023

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

Webb Architects Limited
Studio B
7 Wellington Road
London
NW10 5LJ
United Kingdom

DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Householder Application Granted

Address:

**6 Downside Crescent
London
NW3 2AP**

DECISION

Proposal: Construction of a rear outbuilding

Drawing Nos: 1276.01.01(-); 1276.01.02(B); 1276.01.10(-); 1276.02.10(-); 1276.03.10(-); 1276.01.20(A); 1276.01.21(-); 1276.01.11(C); 1276.03.21(B); 1276.03.20(B); Arboriculture impact Report dated 09/03/2021 prepared by Liam Mcgough tree services; Method Statement prepared by Liam Mcgough tree services; Specific Method Statement prepared by Liam Mcgough tree services.

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:

1276.01.01(-); 1276.01.02(B); 1276.01.10(-); 1276.02.10(-); 1276.03.10(-); 1276.01.20(A); 1276.01.21(-); 1276.01.11(C); 1276.03.21(B); 1276.03.20(B); Arboriculture impact Report dated 09/03/2021 prepared by Liam Mcgough tree services; Method Statement prepared by Liam Mcgough tree services; Specific Method Statement prepared by Liam Mcgough tree services

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

- 3 Prior to the commencement of any works on site, details demonstrating how trees to be retained shall be protected during construction work shall be submitted to and approved by the local planning authority in writing. Such details shall follow guidelines and standards set out in BS5837:2012 "Trees in Relation to Construction". 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 the approved protection details.

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 London Borough of Camden Local Plan 2017.

- 4 Prior to commencement of any works on site, details of the design of building foundations and the layout, with dimensions and levels, of service trenches and other excavations on site in so far as these items may affect trees on or adjoining the site, shall be submitted to and approved in writing by the local planning authority. The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

Reason: To ensure that the development will not have an adverse effect on existing trees and in order to maintain the character and amenities of the area in accordance with the requirements of policies A2 and A3 of the London Borough of Camden Local Plan 2017.

- 5 Prior to commencement of development, full details in respect of the green roof in the area indicated on the approved plan shall be submitted to and approved by the local planning authority. The details shall include:

- i. a detailed scheme of maintenance,
- ii. sections at a scale of 1:20 with manufacturers details demonstrating the construction and materials used,
- iii. full details of planting species and density.

The green roof shall be fully provided in accordance with the approved details prior to first occupation and thereafter retained and maintained in accordance with the approved scheme.

Reason: In order to ensure the development undertakes reasonable measures to take account of biodiversity and the water environment in accordance with policies G1, CC1, CC2, CC3, D1, D2 and A3 of the London Borough of Camden Local Plan 2017.

- 6 The outbuilding hereby permitted shall only be used for purposes incidental to the

main dwellinghouse and shall not be used as a separate residential dwelling or business unit.

Reason: To safeguard the character of the rear garden and the residential amenity of the neighbouring occupiers and to prevent inappropriate uses in rear gardens, in accordance with the requirements of policies A1, D1, H1 and E2 of the London Borough of Camden Local Plan 2017.

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:

<https://www.gov.uk/appeal-householder-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

Chief Planning Officer

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DECISION