

Application ref: 2023/2056/P
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Date: 20 July 2023

Development Management
Regeneration and Planning
London Borough of Camden
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Judd Street
London
WC1H 9JE

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planning@camden.gov.uk
www.camden.gov.uk/planning

Mr Wai-kit Cheung
74 Makepeace Rd
London
UB5 5UG

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Householder Application Granted

Address:

**15 Crediton Hill
London
NW6 1HS**

Proposal:

Erection of outbuilding and replacement boundary fencing in rear garden

Drawing Nos: Site Location Plan CH_EX_LP_RevB_A6, CH_PP_BP_RevB_A6,
CH_EX_SLP_RevB_A6, CH_PP_SLP_RevB_A6, CH_PP_GA_GF_RevB_A6,
CH_PP_RP_RevC_A4, CH_PP_FP_RevC_A4, CH_EX_GE_North_RevB_A1,
CH_PP_GE_North_RevC_A4, CH_PP_GE_East_RevB_A6,
CH_EX_GE_South_RevB_A1, CH_PP_GE_South_RevC_A4,
CH_PP_GE_West_RevB_A6, Arboricultural Impact Assessment (dated 12/05/2023),
Covering Letter, Sedum Supply GRO Compliant Smart Box System

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:

Site Location Plan CH_EX_LP_RevB_A6, CH_PP_BP_RevB_A6, CH_EX_SLP_RevB_A6, CH_PP_SLP_RevB_A6, CH_PP_GA_GF_RevB_A6, CH_PP_RP_RevC_A4, CH_PP_FP_RevC_A4, CH_EX_GE_North_RevB_A1, CH_PP_GE_North_RevC_A4, CH_PP_GE_East_RevB_A6, CH_EX_GE_South_RevB_A1, CH_PP_GE_South_RevC_A4, CH_PP_GE_West_RevB_A6, Arboricultural Impact Assessment (dated 12/05/2023), Covering Letter, Sedum Supply GRO Compliant Smart Box System

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

- 3 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 and policies 2 and 3 of the Fortune Green and West Hampstead Neighbourhood Plan 2015.

- 4 Prior to the commencement of works on site, tree protection measures shall be installed and working practices adopted in accordance with the Arboricultural Impact Assessment Method Statement & Tree Protection Plan (to BS:5837 2012) by Trevor Heaps ref. TH 3771 dated 12th May 2023. 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 and policy 18 of the Fortune Green and West Hampstead Neighbourhood Plan 2015.

- 5 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 and policy 18 of the Fortune Green and West Hampstead Neighbourhood Plan 2015.

- 6 The outbuilding hereby approved shall only be used for ancillary purposes to 15 Crediton Hill and shall not be used as a separate residential dwelling or a business premises.

Reason: In order to protect the residential amenities of neighbouring occupiers and 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 and policies 1 and 7 of the Fortune Green and West Hampstead Neighbourhood Plan 2015.

Informative(s):

- 1 Reasons for granting permission:

The proposals involve the erection of a single storey outbuilding with a green roof and the erection of new fencing in the rear garden.

The outbuilding would measure 7m wide, 7m deep and 2.9m high. Owing to the height, it does not comply with permitted development rights for outbuildings as it would be within 2m of the boundary. The increase in height is due to the accommodation of additional foundation depth required in order to avoid damage to the root protection area in the garden. The permitted development fallback mechanism is applicable, as an outbuilding of a similar footprint could be constructed under permitted development rights albeit with a slightly reduced height (below 2.5m). Indeed a Certificate of Lawfulness was granted under ref. 2022/5543/P for an outbuilding of a larger footprint. A green living roof is proposed to mitigate against the loss of biodiversity. The use of timber cladding is appropriate for a garden context. As such, the proposed outbuilding is considered acceptable in this instance.

The replacement fencing along the three boundary walls in the rear garden would be constructed of timber panels which is considered an acceptable material. The fencing would measure 2m high which is considered to be an appropriate height.

The proposal is considered to 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 proposal is not considered to cause any adverse impacts on the amenity of adjoining residential occupiers, by virtue of the nature, scale and siting of the proposal.

No trees are proposed to be removed; however, a condition is attached requiring tree protection measures to be implemented in accordance with those outlined in the arboriculture report. A further condition is attached requiring details of the specialist foundations for the outbuilding.

A condition is attached stating that the outbuilding shall only be used for purposes ancillary to the host property.

No objections have been received prior to making this decision. The planning history of the site has been taken into account when coming to this decision.

As such, the proposed development is in general accordance with policies A1, A2, A3, H6, T2, D1 and D2 of the Camden Local Plan 2017 and policies 1, 2, 3, 7 and 18 of the Fortune Green and West Hampstead Neighbourhood Plan 2015. The proposed development also accords with the London Plan 2021 and the National Planning Policy Framework 2021.

- 2 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).
- 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 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

A handwritten signature in black ink, appearing to read 'DPope', is centered on the page.

Daniel Pope
Chief Planning Officer