

Application ref: 2023/1271/P  
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Date: 31 July 2023

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

Phone: 020 7974 4444

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[www.camden.gov.uk/planning](http://www.camden.gov.uk/planning)

Urban Regen London Ltd  
22 Redfern Road  
London  
NW10 9LB  
United Kingdom

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Full Planning Permission Granted**

Address:  
**42 Fordwych Road**  
**London**  
**NW2 3TG**

Proposal:  
Erection of a garden room to rear.  
Drawing Nos: Site Location Plan 230324/01, 02, 03 RevA.

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 230324/01, 02, 03 RevA.

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

- 3 The living 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 D1 and A3 of the London Borough of Camden Local Plan 2017 and Policy 2 of the Fortune Green and West Hampstead Neighbourhood Plan 2015.

- 4 The outbuilding hereby approved shall only be used for purposes incidental to the use of the main property at the Ground Floor Flat, 42 Fordwych Road 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 2 of the Fortune Green and West Hampstead Neighbourhood Plan 2015.

- 5 The garden room hereby approved shall be erected with a minimum of 1 metre wildlife corridor gap between the garden room and any neighbouring boundary.

Reason: In order to ensure the development undertakes reasonable measures to take account of local biodiversity in accordance with policies D1 and A3 of the London Borough of Camden Local Plan 2017 and Policy 2 of the Fortune Green and West Hampstead Neighbourhood Plan 2015.

#### Informative(s):

- 1 Reasons for granting permission:

The proposed garden room is considered acceptable in terms of its location, design, scale and materials in a rear garden setting. The new single storey building would be timber-clad with a Sedum roof with an overall height of approximately 2.5m. The footprint of the proposed space would be an irregular quadrilateral. The widest face being 5m, furnished with four pane bi-folding doors. Either side would be approximately 2.5m and 3.8m in length respectively, with the rear face being approximately 5.3m with the rear wall running parallel to the rear boundary fence. A minimum 1m wildlife corridor is provided on all sides between the proposed garden room and any boundary. The overall size and height is considered acceptable here and use of materials is appropriate for the rear garden setting.

The scheme is not considered to negatively affect the character of the host property or surrounding area, nor would it be overly dominant or incongruous in this rear garden landscape. Following development, the host property would retain over 70% of the open garden space, with additional benefit of the proposed Sedum roof covering to the new structure. The Sedum roof would reduce impacts of water run-off.

Due to the building's low profile and offset from the boundaries with adjoining properties, the development is not considered to present any harm to neighbouring amenity. A condition is imposed to require the outbuilding to only be used for residential purposes incidental to the use of the main property.

One representation was received prior to the determination of the application. Some concerns raised relate to the provision of on-site cycle storage (in relation to a previous application at the host site ref: 2019/2472/P, dated 28/04/2021, for 4 x flats at the application site), however the cycle storage requirement is not affected by the application proposal for a garden building. The objection suggests that use of the highways by the site developers has been disregarded with regards to previous works. The applicant is reminded that this permission does not authorise the use of the public highway as set out within the informative below. The objection also mentions the loss of trees on site; however, although protection of trees and biodiversity is desirable, the site is not located within a conservation area and as such trees can be removed without the need for consent from the local authority. No trees to the host or any neighbouring site shall be lost as part of the proposed development.

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, and D1 of the Camden Local Plan 2017 and policies 1 and 2 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](http://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 of the signatory.

Daniel Pope  
Chief Planning Officer