

<b>Address:</b>	<b>Ground Floor Flat, 47 Willes Road London NW5 3DN</b>		<b>6</b>
<b>Application Number(s):</b>	2023/0927/P	<b>Officer: Brendan Versluys</b>	
<b>Ward:</b>	Kentish Town South		
<b>Date Received:</b>	<b>03/03/2023</b>		
<b>Proposal: Erection of a shed in the rear garden</b>			
<b>Background Papers, Supporting Documents and Drawing Numbers:</b>			
Location Plan (Ground Floor Flat, 47 Willes Road), 5/2/2018; Existing and Proposed Rear Garden Plan; Sections – Existing and Proposed, Design and Access Statement prepared by Victoria Hinton			
<b>RECOMMENDATION SUMMARY: Grant conditional planning permission</b>			
<b>Applicant:</b>		<b>Agent:</b>	
Victoria Hinton Ground Floor Flat 47 Willes Road London NW5 3DN		N/A	

## ANALYSIS INFORMATION

<b>Land Use Details:</b>			
	Use Class	Use Description	Floorspace (GIA sqm)
Existing	<i>C3 Dwelling House</i>		NA
	TOTAL		NA
Proposed	<i>C3 Dwelling House</i>		4.46m <sup>2</sup> (Garden shed)
	TOTAL		4.46m <sup>2</sup> (Garden shed)

## **EXECUTIVE SUMMARY**

The application site is at 47 Willes Road, a mid-terrace Victorian property in use as flats. The site is in the Inkerman Conservation Area and the building is identified as making a positive contribution to the character and appearance of the conservation area.

Planning permission is sought for the erection of a garden shed, to be positioned in the rear garden, associated with the ground floor flat which is the sole owner of the ground level rear garden.

The design of the garden building is considered acceptable given its modest size in terms of height and bulk, appropriate to the size of the garden and constructed with materials sympathetic to the host building and conservation area.

The application is also considered to be acceptable in terms of the impact on neighbouring properties. There would be no loss of light, outlook or privacy to neighbours.

**Reason for Referral to Committee: The application is submitted by a Council employee [Clause 3(vi)]**

## **OFFICERS' REPORT**

### **1 SITE**

- 1.1 The application site accommodates a three storey, mid terrace Victorian house in use as flats. The site is located midway along the street block, which runs on a northwest to southeast axis. The building has been extended to the rear, planning permission was granted for this in 2005 (Ref: 2004/4988/P).
- 1.2 The rear garden area is approximately 45m<sup>2</sup>.
- 1.3 The application site is within the Inkerman Conservation Area and the building is identified in the Inkerman Conservation Area Statement (2003) as making a positive contribution to the character and appearance of the conservation area.
- 1.4 The surrounding area is residential in character, predominantly featuring Edwardian semi-detached and terraced housing on Willes Road and Grafton Road. To the north-east of the site is a children's French language school ('College Francais Bilingue de Londres').
- 1.5 The adjoining southern site at 45 Willes Road accommodates a garden shed at the rear of their property, it is of a similar scale and form as the proposed garden shed. There are no record of planning permission for that garden building on Council's records. It is possible the garden shed met the criteria for permitted development, and no planning permission was required for its construction.

### **2 THE PROPOSAL**

- 2.1 Planning permission is sought to erect a garden shed within the rear garden.
- 2.2 The garden shed would be a 'Bewdley Apex' type shed. The walls and floor would be constructed with timber. The roof would be pitched and covered with mineral felt.
- 2.3 The garden shed would be positioned at the south-western corner of the property. The shed would be raised 100mm above ground level and sit atop permeable pavers to enable water run-off.
- 2.4 The shed measures approximately 2.4m in length, 1.8m in width and 2.19m in height (to the roof apex) with an eaves height of 1.73m.

### **3 RELEVANT HISTORY**

#### The site

- 3.1 **2004/4988/P** – Erection of a single-storey full-width rear extension including lantern rooflights (involving the demolition of the existing single storey rear projection) – Granted planning permission **10/01/2005**.

#### The area

- 3.2 There are no planning records for the garden shed at the adjoining property at 45 Willes Road. As discussed under section 1.5 above, it is possible the garden shed met the criteria for permitted development, and no planning permission was required for its construction.
- 3.3 There are no other planning consents relevant to the application at other neighbouring properties

### **4 CONSULTATION SUMMARY**

#### **Kentish Town Neighbourhood Forum (KTNF)**

- 4.1 KTNF advised they have no comment to make on the application.

#### **Adjoining owners/occupiers**

- 4.2 2 x site notices were posted near to the site (outside the site on Willes Road and outside 58 Grafton Road) on 22/03/2023 (consultation end date 15/04/2023). Site notices were republished on 29/03/2023 (consultation end date 22/04/2023).
- 4.3 A press advert was published in the Ham & High on 30/03/2023 (consultation end date 23/04/2023).
- 4.4 One comment was received from the owners of the upper floor flat at 47 Willes Road. Details of the comment are outlined below:
- The comment asserted that the application form was incorrect as it stated the applicant was the sole owner of the land or building to which the application relates. The commentor asserts this is not in accordance with the existing ownership arrangements.
  - The commentor expresses disapproval of the 'asphalt roof' for the garden shed and suggests a living green roof would be more appropriate for visual amenity and environmental reasons.
  - The commentor requests the applicant gives them further information regarding the proposal for the garden shed, including information regarding what consideration has been given to effect on water run-off and loss of greening and biodiversity.

Officer's response:

- *The applicant is the leaseholder of the garden area, where the proposed garden shed would be located. However, as the application site includes the existing terraced house in which both flats have a share of freehold, the applicant has submitted a revised application form, which includes a signed Certificate B.*
- *Please see section 8 of the report, where amenity considerations are addressed. Given the modest footprint of the structure and it being raised above permeable pavers, increased stormwater runoff and associated flooding effects would be negligible. The site is also not located in a Flood Risk Zone.*

## **5 POLICIES & GUIDANCE**

### **5.1 National and regional policy and guidance**

National Planning Policy Framework 2021 (NPPF)  
London Plan 2021

### **5.2 Local policy and guidance**

Camden Local Plan (2017)

A1 Managing the impact of development

A3 Biodiversity

A4 Noise and vibration

D1 Design

D2 Heritage

CC1 Climate change mitigation

CC2 Adapting to climate change

CC3 Water and flooding

Kentish Town Neighbourhood Plan (2016)

Policy D3: Design Principles

### **5.3 Supplementary Planning Guidance**

CPG Amenity (2021)

CPG Home Improvements (2021)

Inkerman Conservation Area Statement (2003)

## ASSESSMENT

The principal considerations material to the determination of this application are considered in the following sections of this report:

<b>6</b>	<b>Land use</b>
<b>7</b>	<b>Heritage and Design</b>
<b>8</b>	<b>Impact on neighbours</b>
<b>9</b>	<b>Conclusion</b>

### **6 Land use**

- 6.3 The proposal involves the construction of a timber garden shed, over a paved area.
- 6.4 There will be no changes to the existing building/flats at the site.
- 6.5 The garden shed will be used in association with the ground floor residential flat, which has exclusive ownership over the rear garden area. Given its limited size it is unlikely that it could be used to provide separate living accommodation but a condition should be attached to the permission to make clear it can only be used for purposes incidental to the existing residential flat. As such, the proposal is acceptable in principle in land use terms.

### **7 Heritage and Design**

- 7.3 Local Plan Policy D1 states: The Council will seek to secure high quality design in development, ensuring it respects local context and character while preserving or enhancing the historic environment and heritage assets in accordance with Policy D2 Heritage. Details and materials should be high quality and complement the local character and integrate well with the surrounding streets. Local Plan Policy D2 requires that development within conservation areas preserves or, where possible, enhances the character or appearance of the area.
- 7.4 Kentish Town Neighbourhood Plan Policy D3: Design Principles, supports the development of new buildings, where specific criteria are met. Criteria relevant to the proposed development includes; proposals being based on a comprehensive understanding of the site and its context, proposals being well integrated into their surrounding and enhance local character, proposals identify and draw upon key aspects of character, or design cues from the surrounding area, and design proposals being of the highest quality and sustainable, using materials that complement the existing palette of materials in the surrounding buildings.
- 7.5 In considering development that affects a conservation area, Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires local

planning authorities, to pay special attention to the desirability of preserving or enhancing the character or appearance of that area.

- 7.6 The proposal relates to the rear garden of a mid-terrace building, identified as making a positive contribution to the Inkerman Conservation Area. While the existing rear extension occupies approximately two fifths of the original rear garden area, and the proposal for a new building would further reduce the amount of green, open space within the garden, a sufficient area of garden space, commensurate with the size of the property, would remain.
- 7.7 The proposed garden shed is designed in a traditional style and would be constructed with lightweight, timber materials, which are typical for small-scale garden sheds and contrast appropriately with the brick materiality of the existing terrace. The shed would also complement the form and materiality of the adjacent garden shed within the rear garden of 45 Willes Road. Therefore, the garden shed is considered an appropriate feature for the setting.
- 7.8 The proposed shed, being a low-level structure positioned within a rear garden, would also not be visible from the street or other public vantage point, therefore its impact on the conservation area beyond the immediate adjoining properties would be very limited. While the garden shed would be visible from the upper floors of habitable rooms on the west elevation of terrace houses on Willes Road, the shed would appear as a minor element within the setting of the other surrounding rear gardens and would not be seen as incongruent within the setting of rear terrace gardens, where ancillary outbuildings are not unanticipated.
- 7.9 Overall, the garden shed would sit comfortably within its context. Being a low-level structure, positioned directly adjacent to the rear garden wall and generously separated from the existing terrace houses, the shed's prominence within the site and relationship with the terrace houses is minimised.
- 7.10 For these reasons, the character and appearance of the conservation area is preserved, as required by Local Plan policies D1 and D2. In addition, the garden shed is designed to be subordinate to and contrast appropriately with the existing terrace and proportionate to the garden area, thereby in accordance with Kentish Town Neighbourhood Plan Policy D3.

## **8 Impact on neighbours**

- 8.0 Policy A1 of the Local Plan seeks to protect the quality of life of neighbouring occupiers. The factors to consider include: visual privacy and outlook; sunlight, daylight and overshadowing; artificial light levels; noise and vibration.

### Daylight/sunlight

- 8.1 The garden shed would protrude approximately 0.5m above the existing boundary wall. Given the minimal extent of the protrusion and the separation of the garden shed from the rear boundary by 0.6m, the shadow of the upper part

of the garden shed's roof would likely fall within the shadow of the existing boundary wall shared with 58 and 60A Grafton Road. The shed would be separated a generous distance from the shared boundary with 47 Willes Road, such that the shed would not cause overshadowing over this property. Any overshadowing over 45 Willes Road would likely fall within the shadow of the either the existing boundary wall shared with, or the existing garden shed at this property. Any additional shadow from the garden shed would be negligible and have an indiscernible impact on the enjoyment of the adjoining properties' outdoor living space.

#### Outlook

- 8.2 Given the minimal extent of the garden shed's roof protrusion above the existing boundary walls and the shed's offset from the rear boundary, there would be no discernible impact on outlook afforded to residents of adjoining properties.

#### Privacy

- 8.3 The garden shed would have a window, but as it is to be used as a non-habitable building there would be no harmful impact on privacy.

#### Light pollution

- 8.4 The garden shed would not result in unacceptable light pollution given the limited amount of glazing proposed.

#### Noise

- 8.5 As the garden building would be used as a non-habitable building, any noise from the building would be incidental to garden maintenance / general household works, and not unacceptable within the residential context.

#### Conclusion

- 8.6 Given the above, the proposal is considered to comply with policy A1 of the Camden Local Plan, and no undue harm to neighbouring amenity would be caused as a result of the proposed development subject to conditions.

### **9.0 Conclusion**

- 9.1 Given the above assessment, the proposal is considered to represent an unobtrusive, light-weight and simple structure, commensurate with the size of the existing rear garden area. In this regard, the proposal would be appropriate to the surrounding context, and preserve the character and appearance of the conservation area. The proposed development is in general accordance with policies of the development plan and the National Planning Policy Framework (2021).

### **10.0 Recommendation - Grant conditional planning permission.**



## **11 Conditions**

### **1 Three years to commence works**

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 Plans and documents**

The development hereby permitted shall be carried out in accordance with the following approved plans:

Location Plan (Ground Floor Flat, 47 Willes Road), 5/2/2018; Existing and Proposed Rear Garden Plan; Sections – Existing and Proposed, Design and Access Statement prepared by Victoria Hinton

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

### **3 Outbuilding use**

The outbuilding hereby permitted shall not be occupied at any time other than for purposes incidental to the residential use of the dwelling known as Ground Floor Flat, 47 Willes Road.

Reason: To protect amenity of adjoining occupiers and also ensure the outbuilding permitted does not become a self-contained dwelling, separate and apart from the original dwelling house known as 47 Willes Road in accordance with policies A1 and A4 of the Camden Local Plan 2017.

## **12 Informatives**

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 London Borough of Camden 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.

All works should be conducted in accordance with the Camden Minimum

Requirements - a copy is available on the Council's website at <https://beta.camden.gov.uk/documents/20142/1269042/Camden+Minimum+Requirements+%281%29.pdf/bb2cd0a2-88b1-aa6d-61f9-525ca0f71319> 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).

- 4 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.