

Application ref: 2024/0899/P
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Date: 30 December 2024

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Regeneration and Planning
London Borough of Camden
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Discount Plans LTD
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Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Householder Application Granted

Address:

73 Goldhurst Terrace
London
NW6 3HA

Proposal:

Erection of outbuilding in the rear garden to provide a golf simulator studio
Drawing Nos: DPL.01 Rev D; DPL.02 Rev D; DPL.03 Rev C; DPL.04 Rev B; DPL.05
Rev A; DLP.06 Rev A.

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:

DPL.01 Rev D; DPL.02 Rev D; DPL.03 Rev C; DPL.04 Rev B; DPL.05 Rev A;

DLP.06 Rev A.

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 policies D1 and D2 of the London Borough of Camden Local Plan 2017.

- 4 Prior to commencement of development , full details in respect of the living roof in the area indicated on the approved roof 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 living roofs 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.

- 5 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 73 Goldhurst Terrace.

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 dwellinghouse in accordance with policies H1, H6, A1 and A4 of the Camden Local Plan 2017.

Informative(s):

- 1 Reasons for granting permission-

The application site is located on the eastern side of Goldhurst Terrace at No.73 and it is part of a long row of terraced buildings. The building is occupied as a single-family dwelling comprising three storeys plus roof space. The site lies within South Hampstead Conservation Area and the property is considered a positive contributor.

The application seeks permission for the construction of an outbuilding at end of the rear garden to provide a golf simulator studio. The building would be 4m deep and 5.2m wide and would be set in from all boundaries. The building

would have a maximum height of approximately 3.2m, however it would be set down slightly into the site and have a maximum height of 2.5m above ground level. It would be constructed in brick to match the existing dwelling, with a flat green roof.

The modest scale would maintain subordination to the host property and a generous amount of garden space would be retained. The proposed materiality would complement the host property and would match the neighbouring outbuilding. The building would be setback from all boundaries to retain space for soft landscaping. The green roof would contribute to biodiversity and help mitigate surface water runoff. Additionally, the area surrounding the building would be retained as pebbles to allow permeability to occur. Overall, the proposed outbuilding would not cause harm to the character and appearance of the host property or wider conservation area.

Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the South Hampstead Conservation Area, under s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

In terms of neighbouring amenity, the outbuilding would be located at the end of the garden, a significant distance from the dwellings either side and therefore would not result in any harm to the amenity of these adjoining neighbours. To the rear, whilst there is a dwelling located in close proximity, the existing boundary fence is approximately 3m high and as such the proposed outbuilding would sit below this and would not impact on their amenity.

One comment was received from the Combined Residents Association of South Hampstead (C.R.A.S.H) requesting that details of the green roof be conditioned, as well as a condition stipulating that the outbuilding can only be used as ancillary to the main dwelling; these conditions have been imposed. They also queried whether the height of the structure is appropriate, and as outlined above, it is considered acceptable.

No objections have been received following statutory consultation. The site's planning history has been taken into account when coming to this decision.

As such, the proposal is in general accordance with policies A1, A3, A4, D1, D2, CC1, CC2, CC3, G1, H1, and H6 of the Camden Local Plan 2017, the London Plan 2021, and the National Planning Policy Framework 2024.

- 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 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).
- 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.

- 5 Biodiversity Net Gain (BNG) Informative (1/2):
The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 ("1990 Act") is that planning permission granted in England is subject to the condition ("the biodiversity gain condition") that development may not begin unless:
 - (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
 - (b) the planning authority has approved the plan.

The local planning authority (LPA) that would approve any Biodiversity Gain Plan (BGP) (if required) is London Borough of Camden.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are summarised below, but you should check the legislation yourself and ensure you meet the statutory requirements.

Based on the information provided, this will not require the approval of a BGP before development is begun because the application is a Householder Application.

++ Summary of transitional arrangements and exemptions for biodiversity gain condition

The following are provided for information and may not apply to this permission:

1. The planning application was made before 12 February 2024.
2. The planning permission is retrospective.
3. The planning permission was granted under section 73 of the Town and Country Planning Act 1990 and the original (parent) planning permission was made or granted before 12 February 2024.
4. The permission is exempt because of one or more of the reasons below:
 - It is not "major development" and the application was made or granted before

2 April 2024, or planning permission is granted under section 73 and the original (parent) permission was made or granted before 2 April 2024.

- It is below the de minimis threshold (because it does not impact an onsite priority habitat AND impacts less than 25 square metres of onsite habitat with biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat).

- The application is a Householder Application.

- It is for development of a "Biodiversity Gain Site".

- It is Self and Custom Build Development (for no more than 9 dwellings on a site no larger than 0.5 hectares and consists exclusively of dwellings which are Self-Build or Custom Housebuilding).

- It forms part of, or is ancillary to, the high-speed railway transport network (High Speed 2).

6 Biodiversity Net Gain (BNG) Informative (2/2):

+ Irreplaceable habitat:

If the onsite habitat includes Irreplaceable Habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements. In addition to information about minimising adverse impacts on the habitat, the BGP must include information on compensation for any impact on the biodiversity of the irreplaceable habitat. The LPA can only approve a BGP if satisfied that the impact on the irreplaceable habitat is minimised and appropriate arrangements have been made for compensating for any impact which do not include the use of biodiversity credits.

++ The effect of section 73(2D) of the Town and Country Planning Act 1990
If planning permission is granted under section 73, and a BGP was approved in relation to the previous planning permission ("the earlier BGP"), the earlier BGP may be regarded as approved for the purpose of discharging the biodiversity gain condition on this permission. It will be regarded as approved if the conditions attached (and so the permission granted) do not affect both the post-development value of the onsite habitat and any arrangements made to compensate irreplaceable habitat as specified in the earlier BGP.

++ Phased development

In the case of phased development, the BGP will be required to be submitted to and approved by the LPA before development can begin (the overall plan), and before each phase of development can begin (phase plans). The modifications in respect of the biodiversity gain condition in phased development are set out in Part 2 of the Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with the National Planning Policy Framework. The council publishes its adopted policies online, along with detailed Camden Planning Guidance. It also provides advice on the website for submitting applications and offers a pre-application advice service.

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 positioned above the typed name and title.

Daniel Pope
Chief Planning Officer