

# 58 Aberdare Gardens-2022/3540/P

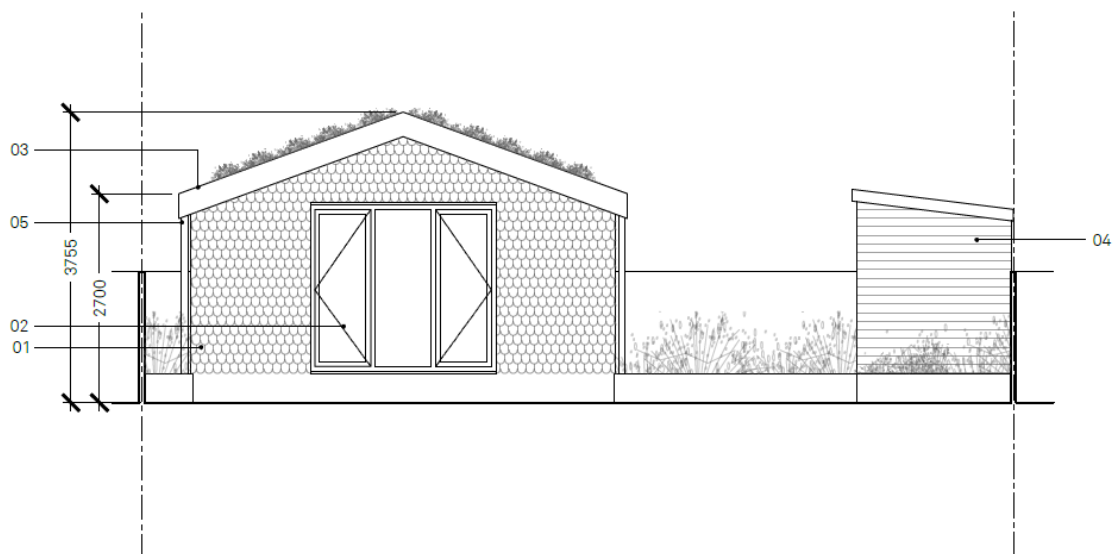


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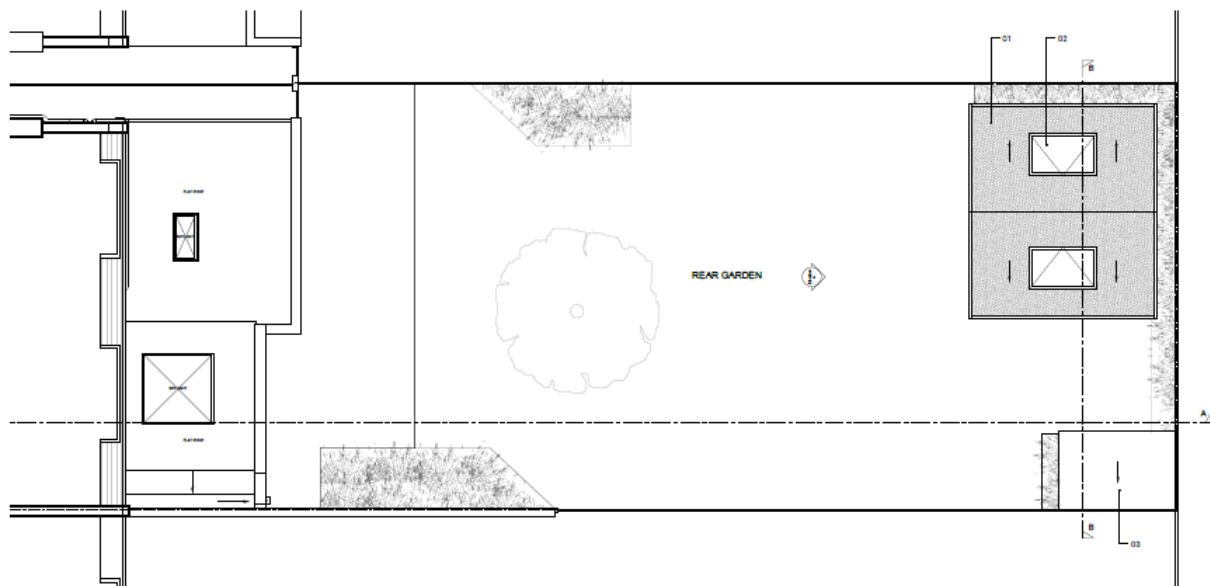
## Photos/Plans



Aerial imagery of the application site



Proposed front elevation of outbuilding



Proposed site plan

<b>Delegated Report</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>		<b>13/10/2022</b>	
<b>(Members Briefing)</b>		N/A / attached		<b>Consultation Expiry Date:</b>		15/11/2022	
<b>Officer</b>				<b>Application Number(s)</b>			
Enya Fogarty				2022/3540/P			
<b>Application Address</b>				<b>Drawing Numbers</b>			
58 Flat 1-2 Aberdare Gardens London Camden NW6 3QD				<i>Please refer to draft decision notice</i>			
<b>PO 3/4</b>		<b>Area Team Signature</b>		<b>C&amp;UD</b>		<b>Authorised Officer Signature</b>	
<b>Proposal(s)</b>							
Erection of single-storey rear outbuilding with pitched green roof							
<b>Recommendation:</b>		Grant conditional planning permission					
<b>Application Type:</b>		Full Planning Permission					

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice			
Informatives:				
Consultations				
Summary of consultation:	A site notice(s) were displayed near to the site on the 07/10/2022 (consultation end date 31/10/2022).  The development was also advertised in the local press on the 13/10/2022 (consultation end date 06/11/2022).			
Adjoining Occupiers:	No. of responses	01	No. of objections	00
Summary of consultation responses:	No responses were received from neighbouring occupiers			
CRASH Committee:	A letter of objection was received on behalf of the CRASH (Combined Residents' Associations of South Hampstead) residents Group;  1. Outbuilding should have a flat roof, would be less obtrusive 2. Should be reduced in height. 3. Rooflights would lead to light pollution 4. Object to the full height fenestration. 5. Gap between the exterior walls and boundary too narrow  Officer's response;  1. The pitched roof is considered acceptable in terms of design and would still read as a subordinate and sensitive addition in the rear garden. 2. The outbuilding has been slightly reduced in height and would measure 2.7m to the eaves and 3.7m to highest point of the pitched roof which is considered acceptable. 3. Please see section 4.4 of the report 4. The detailed design of outbuilding is considered appropriate and in keeping with the surrounding area. 5. Please see section 5.2 of the report.			

## Site Description

The application site is a 3-storey semi-detached property and has been subdivided into flats.

The site is located within the South Hampstead Conservation area and is noted as making a positive contribution to the South Hampstead Conservation Area.

## Relevant History

Application site;

- **2022/0535/P**- Replacement of existing single glazed windows with double glazed windows on the front ground floor bay. **Granted 19/07/2022**
- **2021/4125/P** - Change of use from a 5-bed maisonette to 2 flats on the ground and first floors, the installation of a 1st floor side elevation window and alterations to the front garden boundary wall and landscaping. **Granted 10/03/2022**
- **2009/0691/P**- *Erection of rear ground floor level extension in connection with existing maisonette.* **Granted 26/05/2009**

Neighbouring properties;

### 63 Aberdare Gardens

- **2021/3026/P**- Erection of rear single storey outbuilding. **Granted 20/10/2021**

### 33 Aberdare Gardens

- **2020/1110/P**- *Erection of single storey rear extension (following removal of existing); erection of outbuilding within rear garden; installation of replacement windows, new bin store and cycle storage to front.* **Granted 01/09/2020**

### 37 Aberdare Gardens

- **2013/0774/P**- *Erection of a single storey outbuilding within rear garden of the existing residential flats (Class C3).* **Granted 10/05/2013**

## 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

A4 Noise and vibration

D1 Design

D2 Heritage

### Camden Planning Guidance:

CPG Amenity (2021)

CPG Biodiversity (2018)

CPG Design (2021)

## Assessment

### 1. The proposal

- 1.1. Planning permission is sought for the erection of a single storey timber outbuilding in the rear garden to be used as ancillary to the ground floor flat. The structure would measure 2.7m height to the eaves and 3.7m at the highest point as the outbuilding has a pitched roof, 4.7m deep and 5.5m width and would sit in from all the boundaries. The outbuilding would have double glazed windows and doors on the rear and side elevation and would have two rooflights.

### 2. Revisions

- 2.1 In response to officers' concerns regarding the height of the outbuilding, revised plans were received, and the outbuilding was reduced in height from 2.9m-4m to 2.7m-3.7m to ensure the outbuilding would appear a subordinate and sensitive addition in the rear garden.

### 3. Design and Conservation

- 3.1. The Council's design policies are aimed at achieving the highest standard of design in all developments. The following considerations contained within policy D1 are relevant to the application: development should respect local context and character; comprise details and materials that are of high quality and complement the local character; and respond to natural features. Policy D2 'Heritage' states that in order to maintain the character of Camden's conservation areas, the Council will not permit development within conservation area that fails to preserve or enhance the character and appearance of that conservation area.
- 3.2. CPG Home Improvements states the siting, location, scale, and design of an outbuilding should have a minimal visual impact on and be visually subordinate within the host garden. Outbuildings should preserve or enhance the character of conservation areas and should not detract from the open character and garden amenity of neighbouring gardens and the wider surrounding area. Space suitable for soft landscaping and an acceptable amount of garden space should be retained.
- 3.3. The outbuilding would be located in the rear portion of the rear garden near to the boundary wall with neighbouring property no. 60 Aberdare Gardens. It is noted many neighbouring properties have constructed similar outbuildings in rear gardens such as nos. 33, 37 & 63 (please refer to planning history section). The proposed outbuilding would therefore not be out of keeping with the character of rear gardens along this terrace.
- 3.4. The proposal would be sited at the rear of the site, close to the neighbouring boundary no.60. The garden space is measured at approx. 220sqm and the proposal 25.85sqm. As such approximately 85% of garden space would be undeveloped, which is considered sufficient to maintain a good level of outdoor amenity for the application property.
- 3.5. The outbuilding would be constructed in timber with a green pitched roof. The materials and finish are considered acceptable in a garden context and would be sympathetic to the character and appearance of the conservation area. The outbuilding would read as subordinate to the host property and an acceptable amount of garden space would remain. The outbuilding would be visible in views from neighbouring gardens however by virtue of its scale, design and materiality, it is not considered to harm the character and appearance of the conservation area.
- 3.6. It is considered that the proposed outbuilding would not cause a detrimental impact upon the character and appearance of the host property and would preserve the special character 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 Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013. The proposals are in accordance with policies D1 and D2 of the London Borough of Camden Local Plan 2017.

#### **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.
- 4.2. It is not considered that the proposed outbuilding would give rise to overlooking or loss of privacy issues. This is because the outbuilding would be single storey in height and sited at rear of the garden and would have no rear or side elevation windows.
- 4.3. It is not considered that the proposed outbuilding would impact on the outlook from neighbouring properties, due to its single storey height. Views over the top of the building would still be possible.
- 4.4. It is not considered that the proposed outbuilding would cause loss of sunlight / daylight or overshadowing to neighbouring properties because due to its location and the adequate separation distance. Similarly, given the size and design of the windows, it is not considered that the outbuilding would cause harmful light spill.
- 4.5. Neither is it considered likely that the proposed outbuilding would give rise to noise issues, due to the separation distance and the fact its use would be ancillary to the use of the main building, rather than a separate dwelling, which a suitable planning condition can ensure remains the case in perpetuity.

#### **5. Trees and landscaping**

- 5.1 Policies A3 and D1 advises that the Council seek to protect gardens and resist the loss of trees and vegetation of significant amenity, historic, cultural or ecological value.
- 5.2 The proposal will not result in any loss of trees and significant amount of garden space will retained. The proposed outbuilding would sit at a small distance from all boundaries, which would allow a modest space for planting and wildlife movement. 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 In light of the above, the proposed scheme is considered to have an acceptable impact on the biodiversity of the site.

**Recommendation:** 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 13<sup>th</sup> February 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](http://www.camden.gov.uk) and search for 'Members Briefing'.***



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Date: 7 February 2023

**Development Management**  
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London Borough of Camden  
Town Hall  
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WC1H 9JE

Phone: 020 7974 4444

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

Architecture for London  
3-5  
Bleeding Heart Yard  
London  
EC1N 8SJ

# DRAFT

Dear Sir/Madam

## DECISION

Town and Country Planning Act 1990 (as amended)

### Full Planning Permission Granted

Address:

**58 Flat 1-2  
Aberdare Gardens  
London  
Camden  
NW6 3QD**

# DECISION

Proposal:

Erection of single-storey rear outbuilding with pitched green roof

Drawing Nos: Site Location Plan; EX050; EX100; EX101; EX200; EX300; EX301; PL050; PL100; PL101; PL200A; PL300A; PL301A; Design and Access Statement prepared by Architecture for London dated August 2022

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; EX050; EX100; EX101; EX200; EX300; EX301; PL050; PL100; PL101; PL200A; PL300A; PL301A; Design and Access Statement prepared by Architecture for London dated August 2022

Reason:

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

- 3 The outbuilding hereby permitted shall only be used for purposes ancillary 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.

- 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.

Informative(s):

- 1 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.

- 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 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.

DRAFT

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>.

Yours faithfully

Chief Planning Officer

DECISION