

<b>Delegated Report</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>		16/06/2009	
		N/A / attached		<b>Consultation Expiry Date:</b>		09/06/2009	
<b>Officer</b>				<b>Application Number(s)</b>			
Hannah Parker				2009/1683/P			
<b>Application Address</b>				<b>Drawing Numbers</b>			
12 Chesterford Gardens London NW3 7DE				See Decision Notice;			
<b>PO 3/4</b>		<b>Area Team Signature</b>		<b>C&amp;UD</b>		<b>Authorised Officer Signature</b>	
<b>Proposal(s)</b>							
Retrospective application for a garden pergola in rear garden of dwellinghouse (Class C3).							
<b>Recommendation(s):</b>		<b>Grant Permission</b>					
<b>Application Type:</b>		<b>Full Planning Permission</b>					
<b>Conditions or Reasons for Refusal:</b>		Refer to Draft Decision Notice					
<b>Informatives:</b>							
<b>Consultations</b>							
<b>Adjoining Occupiers:</b>		No. notified	<b>13</b>	No. of responses	<b>01</b>	No. of objections	<b>00</b>
				No. electronic	<b>00</b>		
<b>Summary of consultation responses:</b>		1 comment / objection from Flat 1 14 Chesterfield Gardens <ul style="list-style-type: none"> <li>Does not object to the pergola but objects to the large amount of smoke that comes out of the oven which is housed under the pergola. The pergola does not contain the smoke.</li> </ul>					
<b>CAAC/Local groups* comments:</b> <small>*Please Specify</small>		No responses to date					

## Site Description

The application site is a three-storey traditional semi-detached single dwelling house with basement. The house is not listed, but lies within the Redington/Froggnal Conservation Area. The area is predominantly characterised as residential.

## Relevant History

EN09/0147

12 Chesterford Gardens

Alleged Breach : Steel frame constructed in rear garden.

2007/3370/P Erection of single-storey summerhouse in rear garden for ancillary use by existing single-family dwellinghouse (Class C3) Decision Granted 01/10/2007

## Relevant policies

Set out below are the UDP policies that the proposals have primarily been assessed against, together with officers' view as to whether or not each policy listed has been complied with. However it should be noted that recommendations are based on assessment of the proposals against the development plan taken as a whole together with other material considerations.

### London Borough of Camden Replacement UDP 2006

S1, Sustainable Development

S2, Sustainable Development

SD6, Amenity for occupiers and neighbours

B3. Alterations and extensions

B1 General Design

B7 Conservation Area

### Camden Planning Guidance 2006

## **Assessment**

This is a retrospective application for the erection of a pergola in the rear garden of the applicant's property. The pergola is open on all sides but is covered by a roof. It is constructed from painted steel posts and beams to match the existing summer house. The roof is constructed from frosted glass and timber louvres.

### **Main Considerations**

- Impact on host Building and the conservation area
- Neighbourhood amenity

### **Impact on host Building and the conservation area**

The pergola is situated at the rear of the garden of the applications property next to the newly built summer house. It is not visible from the street scene so does not impact the character or appearance of the conservation area. Positioned at the rear of the garden the pergola is subservient to the host building and the newly constructed summer house. Compliant with policies B1, B3, and B7 of the London Borough of Camden Unitary Development Plan.

### **Neighbourhood amenity**

Due to the nature of the light weight structure and its placement at the rear of the garden no significant issues regarding amenity arise. It is considered that the proposed works will not adversely impact on the amenity of the adjacent properties with regard to access to sunlight, daylight, or outlook and thus are considered to be consistent with Policy SD6 of the London Borough of Camden Unitary Development Plan.

### **Other Issues**

The occupant of flat 1, Chesterfield Gardens has stated that they do not object to the pergola, but rather the lighting of fires within it. However, the use of a residential garden for cooking or the lighting of fires incidental to the use of the dwelling is not something that can be controlled under the planning system. The neighbours may however seek remedy under the relevant environmental health legislation.

### **Recommendation Grant Permission**

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