

17A Downside Crescent, NW3 2AN



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Photo 1- As built outbuilding



Photo 2- As built outbuilding

Delegated Report (Members' Briefing Report)		Analysis sheet	Expiry Date:	01/07/2016
		N/A	Consultation Expiry Date:	16/06/2016
Officer			Application Number(s)	
Tessa Craig			2016/2528/P	
Application Address			Drawing Numbers	
17A Downside Crescent London NW3 2AN			See decision notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Erection of timber outbuilding in rear garden (retrospective)				
Recommendation(s):	Grant Planning Permission			
Application Type:	Full Planning Permission			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	17	No. of responses	3	No. of objections	3
			No. electronic	00		
Summary of consultation responses:	<p>A site notice was displayed on 20/05/2016- 10/06/2016 and a press notice was advertised on 26/05/2016.</p> <p>Letters were sent to 17 adjoining neighbours and three objections were received from nos. 15 Downside Crescent, 17C Downside Crescent and 19C Downside Crescent.</p> <p>The objections are summarised as follows:</p> <ul style="list-style-type: none"> • Other tenants using the garden (see 2.7); • May not be used as a shed (see 2.7); • Size, height and design (see 2.4); • Block light (see 2.6); • Out of character (see 2.4); • Security (see 2.7). 					
CAAC/Local groups* comments: *Please Specify	<p>Parkhill/Upper Park CAAC object-</p> <ul style="list-style-type: none"> • Use of building is unknown (see 2.7); • Height and bulk (see 2.4); • Harmful to garden amenity (see 2.6). 					

Site Description

The subject site is located on the west side of Downside Crescent and is a brick semi-detached property which is subdivided into two flats. The property is within the Parkhill and Upper Park Conservation Area and is a positive contributor to the area. The building is not listed.

Relevant History

2015/6928/P – Erection of timber outbuilding in rear garden. Granted, 01/02/2016.

2015/5387/P- Installation of a conservation roof light to side slope. Granted, 25/11/2015.

2004/4838/P- Erection of dormer in the rear roofslope. Granted, 24/12/2004.

2004/2763/P- The erection of a rear dormer window with terrace and installation of side facing roof light. Refused, 17/09/2004.

Relevant policies

National Planning Policy Framework 2012

The London Plan March 2015

LDF Core Strategy and Development Policies 2010

CS5 (Managing the impact of growth and development)

CS14 (Promoting high quality places and conserving our heritage)

DP24 (Securing high quality design)

DP25 (Conserving Camden's heritage)

DP26 (Managing the impact of development on occupiers and neighbours)

Camden Planning Guidance 2011

CPG1 (Design)

CPG6 (Amenity)

Parkhill and Upper Park Conservation Area Appraisal and Management Strategy 2011

Assessment

1.0 Proposal

- 1.1 Retrospective planning permission is sought for an outbuilding in the rear garden of the subject site. Permission was previously granted on 1st February 2016 (ref. 2015/6928/P) for the outbuilding, however the structure was not built in accordance with the approved plans and this application seeks approval for the now erected outbuilding.
- 1.2 The previously approved timber garden shed was 5m by 3m (15sqm) and 2.2m high with two double doors opening toward the house. The structure which has been built is 5m by 3m (15sqm) matching the approved floor area, however it is higher than approved. The building is on sloped land with the highest part of the building being 3.047m at the front (measured from ground level and including the concrete slab which the building sits on) and 2.679 at the rear. The outbuilding also includes a strip of glazing on the side elevation, an area of paving around the building and access steps up to the entrance which was not consented to.

2.0 Assessment

- 2.1 The main issues to be considered are the impact of the built structure including the additional height, windows, paving and access steps in terms of design and its impact on the conservation area and the impact on neighbours' amenity.

Design and Conservation Area

- 2.2 Camden Planning Guidance states that the construction of garden buildings, including sheds, stand-alone green houses and other structures in rear gardens, can often have a significant impact upon the character of an area. The Council therefore seek to ensure the siting, location, scale and design of the proposed development has a minimal visual impact on, and is visually subordinate to, the host and surrounding gardens.

- 2.3 The Parkhill and Upper Park Conservation Area Appraisal and Management Strategy advises

“Any development of rear garden spaces should not detract from the general feeling of openness, and should ensure that most of the existing garden space is retained. Particular care should be taken when considering development within rear gardens in prominent positions, for example those on corner sites, where the visual impact of a proposal may be greater.”

- 2.4 The outbuilding was previously assessed under permission 2015/6928/P and considered to be acceptable in terms of design and impact on the conservation area. The rear garden is approximately 180sqm; therefore the proposed outbuilding would occupy 8.3% of the garden area. The 'as built' outbuilding is higher than the previously approved plans by 0.85m at the highest point. Whilst this has added some additional bulk to the structure, given the location of the outbuilding in the rear garden the structure is not considered harmful to the conservation area or host building. The other changes, which include a strip of glazing on the side elevation, an area of paving around the building and access steps up to the entrance, are relatively minor and would not cause harm to the character or appearance of the conservation area.

Amenity

- 2.5 CPG6 Amenity states: “Development should be designed to protect the privacy of both new and existing dwellings to a reasonable degree. Spaces that are overlooked lack privacy. Therefore, new buildings, extensions, roof terraces, balconies and the location of new

windows should be carefully designed to avoid overlooking. The degree of overlooking depends on the distance and the horizontal and vertical angles of view. The most sensitive areas to overlooking are:

- Living rooms;
- Bedrooms;
- Kitchens; and
- The part of a garden nearest to the house.

2.6 The 'as built' outbuilding has included a strip of windows along the east facing elevation of the building. These windows face the garden of the subject site and given the distance to the nearest residential windows, oblique angles and use of the building for ancillary purposes, there are no concerns with regards to impact on privacy. The outbuilding is not considered to result in loss of light to residential windows either as it is sited in the rear garden, over 7m from the rear elevation of the main building.

2.7 Concern has been raised about the intended use of the outbuilding. As with the initial permission, a condition will be imposed preventing the building being used for any purpose other than ancillary use to the main dwelling (the building is not permitted to be used as separate residential accommodation). The garden is shared between the two flats and therefore tenants of both flats can access the garden.

3.0 Recommendation

3.1 Whilst the previously consented outbuilding was not built in accordance with the approved plans, the impact of the additional height, glazed strip window, paving and access stair is considered minor and that the permission for the 'as built' structure should be granted.

DISCLAIMER

The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 11th July 2016, 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 and search for 'Members Briefing'.

Emrah Ozan
Tecon Ltd
116a High Street
Edgware
Middlesex
HA8 7EL

Application Ref: **2016/2528/P**
Please ask for: **Tessa Craig**
Telephone: 020 7974 **6750**

4 July 2016

DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:
17A Downside Crescent
London
NW3 2AN

DECISION

Proposal:
Erection of timber outbuilding in rear garden (retrospective).

Drawing Nos: Design Access Statement and 7787 P 201 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

Executive Director Supporting Communities



following approved plans:

Design Access Statement and 7787 P 201 A.

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

- 3 The outbuilding hereby approved shall only be used for purposes incidental to the residential use of No. 17A Downside Crescent and shall not be used as a separate independent Class C3 dwelling.

Reason: To ensure that the outbuilding does not adversely affect the amenity of adjoining residential premises and is not used for unauthorised purposes, in accordance with policies CS1 (Distribution of growth), CS5 (Managing the impact of growth and development), CS6 (Providing quality homes), DP2 (Making full use of Camden's capacity for housing), DP5 (Homes of different sizes), DP6 (Lifetime homes and wheelchair homes) and DP26 (Managing the impact of development on occupiers and neighbours) of the London Borough of Camden Local Development Framework Core Strategy.

Informative(s):

- 1 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts which 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, Argyle Street WC1H 8EQ, (tel: 020-7974 6941).
- 2 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 are advised to consult the Council's Compliance and Enforcement team [Regulatory Services], Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 4444 or on the website <http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-the-environmental-health-team.en> or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

Executive Director Supporting Communities

DRAFT

DECISION