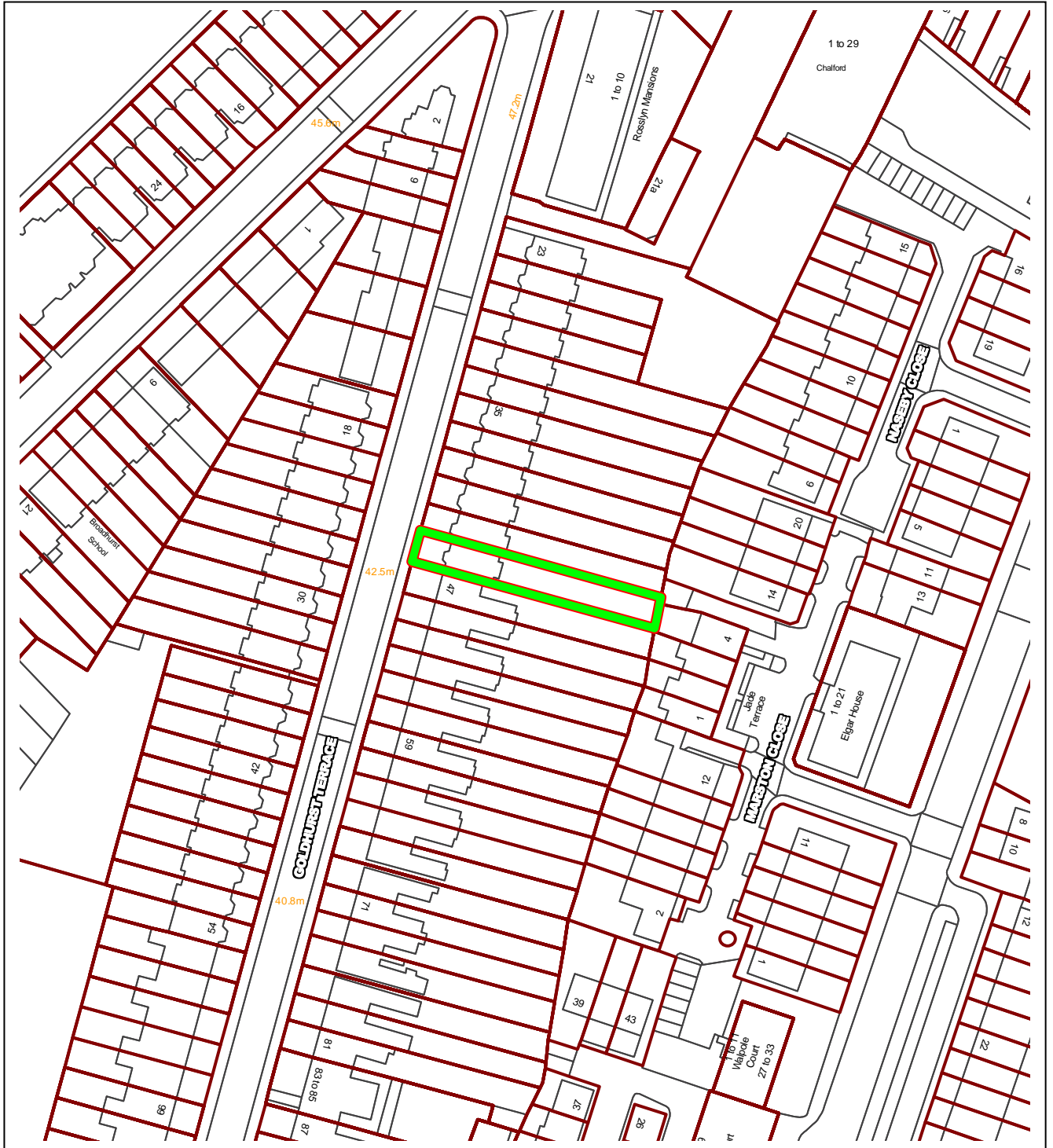


45 Goldhurst Terrace, NW6 3HB
ref: 2016/1630/P



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Photo 1- Rear garden of subject site from neighboring property



Photo 2- Rear elevation of subject property



Photo 3- Neighbors outbuilding to north



Photo 4- Neighbors outbuilding to south

Delegated Report (Members Briefing)		Analysis sheet		Expiry Date:	12/07/2016
		N/A		Consultation Expiry Date:	16/06/2016
Officer			Application Number(s)		
Tessa Craig			2016/1630/P		
Application Address			Drawing Numbers		
45 Goldhurst Terrace London NW6 3HB			Refer to Draft Decision Notice		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
Erection of single storey garden room in rear garden					
Recommendation(s):		Grant Conditional Planning Permission			
Application Type:		Full Planning Permission			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	25	No. of responses	03	No. of objections	03
Summary of consultation responses:	<p>A site notice was displayed from 18/05/2016 and a press notice was advertised on 26/05/2016.</p> <p>Twenty five neighbours were consulted by post. Responses were received from:</p> <p>37 Goldhurst Terrace-</p> <ul style="list-style-type: none">Enforcement for works not carried out in accordance with approved plans should be cleared up first (<i>Officer's comment: see relevant history section below- a separate application has been made for retrospective permission for works not carried out in accordance with an application for rear and side dormers and rear elevation changes which is currently being processed. This is also outside the scope of the current application</i>);The outbuilding is too large; (<i>Officer's comment: see 2.5</i>)Noise disturbance associated with the outbuilding's use; (<i>Officer's comment: see 2.8</i>)Loss of garden space; (<i>Officer's comment: see 2.5</i>)Could be used as living accommodation; (<i>Officer's comment: see 2.7</i>)Impact on trees (<i>Officer's comment: see 2.5</i>). <p>41 Goldhurst Terrace-</p> <ul style="list-style-type: none">Loss of trees; (<i>Officer's comment: see 2.5</i>)Loss of privacy through overlooking; (<i>Officer's comment: see 2.7</i>)Overly large development and out of character surrounding area; (<i>Officer's comment: see 2.5</i>)Inappropriate use of materials (<i>Officer's comment: see 2.5</i>). <p>Flat B, 43 Goldhurst Terrace-</p> <ul style="list-style-type: none">Impact on views of garden (<i>Officer's comment: the outbuilding is located in the rear garden over 15m from 43 Goldhurst Terrace and is considered to be acceptable in terms of size, materials and siting (see assessment below). A sedum roof shall also be included to soften the appearance of the outbuilding</i>);Previous works do not comply with permission (<i>Officer's comment: this is being dealt with separately under 2016/2958/P and is not in consideration as part of this application</i>).					

**CAAC/Local groups*
comments:**
*Please Specify

The Hampstead CAAC was consulted on 17/05/2016 and no response was received.

Site Description

The subject property is located on the eastern side of Goldhurst Terrace and is an end of terrace property which has been subdivided into four flats. This application is seeking to provide an outbuilding within the rear garden for the use of Flat A.

The site is within the South Hampstead Conservation Area and is a positive contributor to the area, but is not a listed building. The property benefits from a long rear garden (approximately 35m deep from the original rear wall). The two adjacent properties either side benefit from similar sized outbuildings.

Relevant History

2015/5564/P: Permission was granted for the erection of single storey rear extension at lower ground floor, erection of side and rear roof dormers, installation of Juliet balcony at first floor rear elevation, installation of 2 conservation style rooflights to front roofslope and installation of windows in side elevation at lower ground, ground, first and second floors on 26/11/2015

Officer comment: Works have started on site; however, as discussed below, these are not in accordance with the approved scheme. A further application has been made for retrospective permission which is currently being decided (2016/2958/P).

2016/2958/P: Retrospective application to retain works to loft conversion (including rear roof dormer and terrace and enlarged side elevation dormer), single storey rear extension and fenestration works including double access doors at upper ground floor rear elevation. *This application has not currently been determined*

Relevant policies

National Planning Policy Framework 2012

The London Plan 2016

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 2015 and 2013

CPG1 (Design) 2015

CPG6 (Amenity) 2011

South Hampstead Conservation Area Statement 2011

Assessment

1.0 Proposal

- 1.1 Planning permission is sought for the erection of an outbuilding in the rear garden of the subject site. The outbuilding is proposed to be 4m wide, 5m deep and 2.5m high with a pitched roof (highest point 2.5m). The building would include three glazed sliding doors facing the main property and a window in the north facing side elevation. The building is to include timber cladding and a sedum/green roof. The outbuilding would be a minimum of 500mm from the nearest boundary walls to the east and south, over 2m from the northern boundary and over 20m to the rear projection of the main property.
- 1.2 The proposal has been revised since its original submission to:
- Amend the orientation of the outbuilding to run parallel with the north/south property boundaries rather than east/west against the rear property boundary. The revised orientation is to ensure trees are not harmed by the proposed works;
 - Reduce the size from 6m by 4m to 4m by 5m;
 - Include a sedum roof;
 - Include a side elevation window relocated from the where it was originally proposed facing toward the main property.

2.0 Assessment

- 2.1 The main planning issues to be considered are the impact of the proposal in terms of design and conservation, the impact of the proposal on the amenity of neighbours and trees and landscaping.

Design

- 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 South Hampstead Conservation Area statement advises that development which results in the loss of private open spaces is unlikely to be acceptable due to the positive contribution of these spaces to the character and appearance of the conservation area. 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.
- 2.4 The proposed outbuilding would occupy about 12.5% of the large (140m²) rear garden space and be located discreetly in the south eastern corner of the garden. The timber cladding and sedum roof would enable the outbuilding to blend in with the open space character of the rear gardens and be visually unobtrusive. Details of the green roof would be secured by condition. The rear garden is to be landscaped and no trees are proposed to be removed as part of this application. A large garden area will be retained. Overall, the proposed outbuilding is in scale with the host building it would serve and of similar size to neighbouring development which benefit from outbuildings. The proposal would therefore preserve the character and appearance of the South Hampstead Conservation Area.

Amenity

- 2.6 Policy CS5 seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered. Furthermore, policy DP26 seeks to ensure that development protects the quality of life of occupiers and neighbours by only granting permission to development that would not harm the amenity of neighbouring residents.
- 2.7 The proposed outbuilding would include three glazed sliding doors facing the main property and a side elevation window. Due to the distance of the outbuilding to nearest residential windows, no overlooking would result. In any event it would only be at ground floor level so the same overlooking impacts could be achieved from standing within the rear garden. The proposal would not result in the loss of light due to its height and location at the rear of the garden.
- 2.8 If approval were granted a condition would be attached to require the outbuilding to only be used for ancillary purposes to the main use of flat(s) it serves and as an independent use. This would restrict it from being used by a separate use or for residential accommodation.
- 2.8 Whilst there may be some noise disturbance while the outbuilding is being constructed this would be temporary in nature and only permitted from 08:00 until 18:00 Monday to Friday and 08:00 until 13:00 on Saturdays as per Environmental Health guidance. No noisy works could be carried out on Sundays and Bank Holidays as restricted by Section 60 of the Control of Pollution Act (COPA) 1974. Noise generated by the use of the outbuilding would be residential in nature and could occur from occupants using the rear garden regardless of whether an outbuilding is present. It is not considered that the use of the outbuilding for purposes incidental to the main residential premises would result in a materially harmful level of noise and general disturbance.

Trees and Landscaping

- 2.9 Policy CS15 advises the Council will protect and improve sites of nature conservation and biodiversity by protecting trees and promoting the provision of new trees and vegetation, including additional street trees. Policy DP25 advises that the Council should preserve trees and garden spaces which contribute to the character of a conservation area and which provide a setting for Camden's architectural heritage.
- 2.10 The proposal does not involve the removal of any trees. A separate tree removal application was made in 2015 for 8 dying trees. The works have been completed. There are no protected trees on the site; however there are some on the neighbouring site to the north (43 Goldhurst Terrace). The applicant revised the orientation of the outbuilding to ensure the TPO trees are not affected by the outbuilding. A sedum roof would be included (details of which shall be required to be submitted to and approved by the Council prior to use of the outbuilding) as part of the proposal. Extensive hard and soft landscaping would improve the currently bare garden.

Recommendation

- 3.1 The proposed development is considered acceptable in terms of design, impact on the conservation area and impact on amenity. The development is deemed consistent with the objectives and policies identified above. It is recommended conditional consent be given to the proposed development.

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 26th September 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'.

Mr Alan Bear
Sepia Design
20 St Dunstan's Road
Feltham
Middlesex
TW13 4JU

Application Ref: **2016/1630/P**
Please ask for: **Tessa Craig**
Telephone: 020 7974 **6750**

19 September 2016

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:
Flat A
45 Goldhurst Terrace
London
NW6 3HB

Proposal: Erection of single storey garden room in rear garden

Drawing Nos: Planning & Access Considerations Statement, 1554-003, 1554 and 'Revised Drawing'.

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).

Executive Director Supporting Communities



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

Planning & Access Considerations Statement, 1554-003, 1554 and 'Revised Drawing'.

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. 45 Goldhurst Terrace 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.

- 4 Full details in respect of the green roof in the area indicated on the approved roof plan shall be submitted to and approved by the local planning authority before the relevant part of the development commences. The buildings shall not be occupied until the approved details have been implemented and these works shall be permanently retained and maintained thereafter.

Reason: In order to ensure the development undertakes reasonable measures to take account of biodiversity and the water environment in accordance with policies CS13, CS15 and CS16 of the London Borough of Camden Local Development Framework Core Strategy and policies DP22, DP23 and DP32 of the London Borough of Camden Local Development Framework Development Policies.

- 5 Prior to the commencement of any works on site, details demonstrating how trees to be retained shall be protected during construction work shall be submitted to and approved by the Council in writing. Such details shall follow guidelines and standards set out in BS5837:2012 "Trees in Relation to Construction". All trees on the site, or parts of trees growing from adjoining sites, unless shown on the permitted drawings as being removed, shall be retained and protected from damage in accordance with the approved protection details.

Reason: To ensure that the development will not have an adverse effect on existing trees and in order to maintain the character and amenity of the area in accordance with the requirements of policy CS15 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.
- 3 The Mayor of London introduced a Community Infrastructure Levy (CIL) to help pay for Crossrail on 1st April 2012. Any permission granted after this time which adds more than 100sqm of new floorspace or a new dwelling will need to pay this CIL. It will be collected by Camden on behalf of the Mayor of London. Camden will be sending out liability notices setting out how much CIL will need to be paid if an affected planning application is implemented and who will be liable.

The proposed charge in Camden will be £50 per sqm on all uses except affordable housing, education, healthcare, and development by charities for their charitable purposes. You will be expected to advise us when planning permissions are implemented. Please use the forms at the link below to advise who will be paying the CIL and when the development is to commence. You can also access forms to allow you to provide us with more information which can be taken into account in your CIL calculation and to apply for relief from CIL.

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

We will then issue a CIL demand notice setting out what monies needs to paid when and how to pay. Failure to notify Camden of the commencement of development will result in a surcharge of £2500 or 20% being added to the CIL payment. Other surcharges may also apply for failure to assume liability and late payment. Payments will also be subject to indexation in line with the construction costs index.

Please send CIL related documents or correspondence to CIL@Camden.gov.uk

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