

Mr David Kemp
DRK Planning Ltd
215 Alfred Court
53 Fortune Green Road
West Hampstead
NW6 1DF

Application Ref: **2017/1593/P**
Please ask for: **John Diver**
Telephone: 020 7974 **6368**

27 July 2017

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Householder Application Granted

Address:
144 Mill Lane
London
NW6 1TF

Proposal:
Erection of a part single, part two storey outbuilding within rear garden to provide additional accommodation ancillary to dwellinghouse (C3)
Drawing Nos: (Prefix: DB350 -) P01, P02, P03 (REV B); Site Location Plan (P01); Arboricultural Report (dated 07.04.17)

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: (Prefix: DB350 -) P01, P02, P03 (REV B); Site Location Plan (P01); Arboricultural Report (dated 07.04.17)

Reason:

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

- 3 Before the relevant part of the work is begun, detailed drawings, or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the local planning authority:

a) Manufacturer's specification details of all facing materials (to be submitted to the Local Planning Authority) and samples of those materials (to be provided on site).

The relevant part of the works shall be carried out in accordance with the details thus approved and all approved samples shall be retained on site during the course of the works.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy D1 of the London Borough of Camden Local Plan 2017.

- 4 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 local planning authority 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 policies A2 and A3 of the London Borough of Camden Local Plan 2017.

- 5 The use of the outbuilding hereby approved shall remain for purposes incidental to the residential use of no.144 Mill Lane only and shall at no point be used as a separate independent dwelling (Use Class C3).

Reason: To ensure that the outbuilding does not adversely affect the amenity of adjoining residential premises and is not used for unauthorised purposes resulting in sub-standard accommodation, in accordance with policies G1, A1, and A4 of the London Borough of Camden Local Plan 2017.

- 6 The area of flat roof to the outbuilding hereby approved shall at no point be used as an amenity area / terrace.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in

accordance with the requirements of policy A1 of the London Borough of Camden Local Plan 2017.

Informative(s):

1 Reasons for granting permission.

Following the refusal of application 2013/4974/P, permission was subsequently allowed at appeal at the site for the 'erection of a two storey building with roof terrace in rear garden ancillary to the existing house' (ref. APP/X5210/D/13/2211011). The Council's reason for refusal related to the design of the outbuilding and its deemed incongruous appearance but this was contested by the inspectorate. This permission continues to represent a material consideration and is considered to have established the acceptability of the erection of such an ancillary structure.

This proposal represents a variation to the design of the appeal allowed scheme, primarily involving a slight increase in height to the main volume (350mm) and altered elevational treatment/materiality to create a more solid appearance. The proposal would no longer include any external terraces and the substantial glazing permitted at first floor level would be replaced with a brick envelope with punched fenestrations and timber clad panels. The proposed outbuilding would feature the same footprint as the appeal allowed scheme and would remain for the sole use of the occupiers of no.144 (to be secured by condition).

Following discussions with the Council's Design Officers and the submission of revisions; it is now considered that the revised design is an improvement over the appeal allowed scheme, representing a more contextual approach (with materials reflecting the garden setting and surrounding townscape) and a more coherent architectural treatment. In order to ensure that the facing materials applied are fully appropriate for the setting, a condition for the submission of details is recommended. Once fully detailed it is considered that the proposed outbuilding would be a more appropriate addition to the Holmdale Road streetscene than the previously allowed scheme and to remain in accordance with policy D1.

In terms of residential amenity, although it is noted that the proposed scheme would involve a slight increase to height as well as involving a more 'solid' appearance at first floor level, the hereby proposed design is considered to lead to a reduced impact the neighbouring residents than the allowed scheme. This is due to the omission of external terraces and heavy glazing at first floor level reducing privacy concerns as well as issues of light-spill. As the proposed outbuilding is read against the backdrop of the 4/5 storey flank elevation of the adjacent block from no.146/148 and a separation distance of 17m would be retained between opposing properties along Holmdale, it is not considered that the proposal would lead to any significant loss of outlook. Due to its siting, orientation and the increase of only 350mm above the allowed scheme, the development is not considered to lead to any detrimental impact upon natural light levels to any neighbouring resident.

Due to the scale of development and easy of access to the development site, no

transport concerns are raised in relation to the development. No trees are proposed to be removed and submitted report indicated that the development would not result in detriment to any nearby tree similarly to the appeal allowed scheme. In order to ensure that adequate measures are put in place during construction (as recommended within submitted Arboricultural Report), a condition is recommended for the submission of Tree Protection details.

The site's planning history has been taken into account when coming to this decision. No comments were received in relation to the application.

As such, the proposed development is in general accordance with policies G1, A1, A3, A4, and D1 of the London Borough of Camden Local Plan 2017. The development also accords with policies 1, 2 and 18 of the Fortune Green and West Hampstead Neighbourhood Plan (2015) as well as the London Plan 2016 and the NPPF 2012.

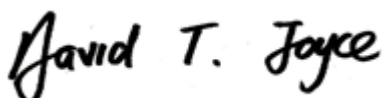
- 2 Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Council's Noise and Licensing Enforcement Team, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (Tel. No. 020 7974 4444 or search for 'environmental health' on the Camden website 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 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).

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



David Joyce
Director of Regeneration and Planning