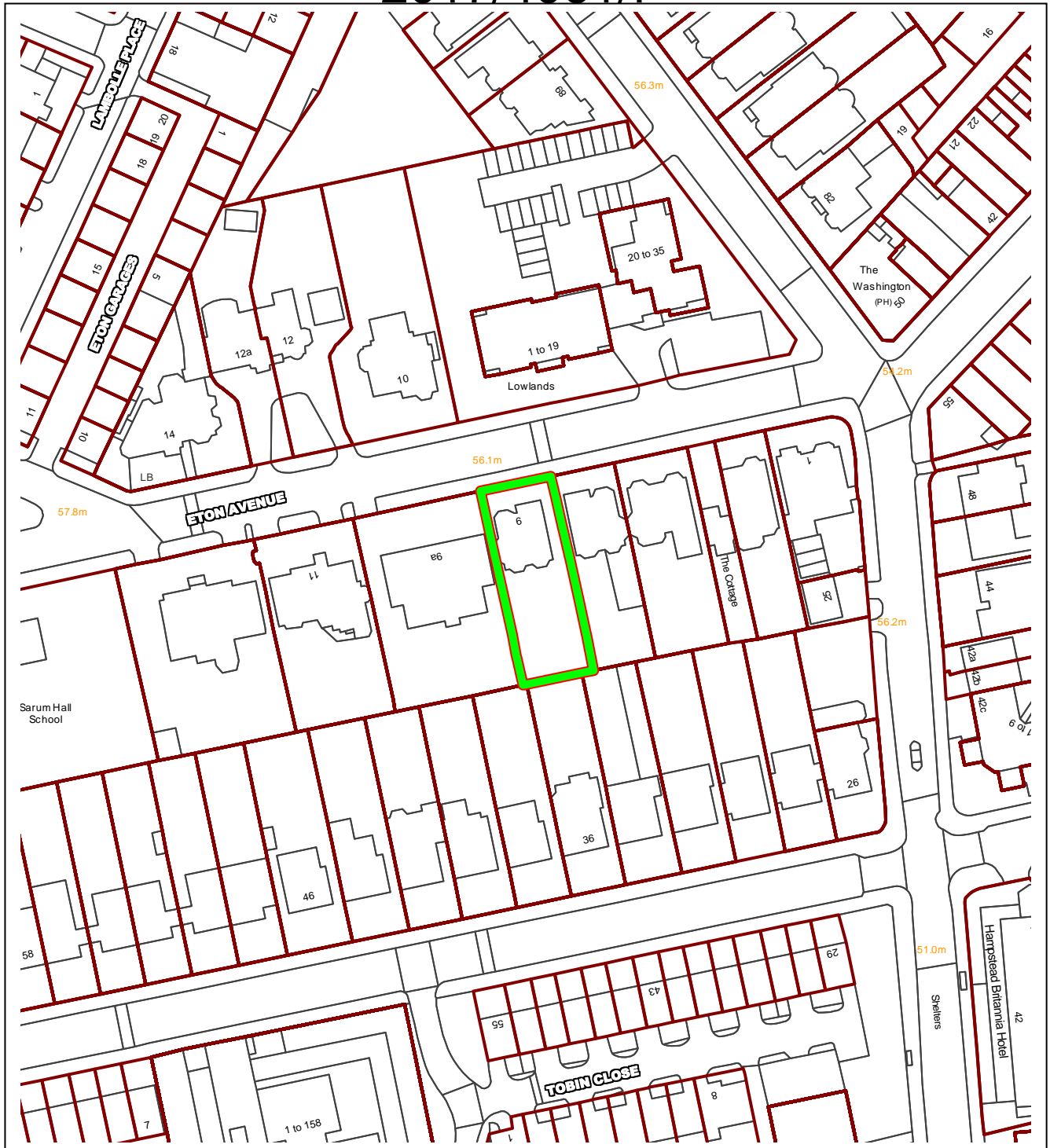


# 9 Eton Avenue, NW3 3EL- 2017/4061/P



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Photo 1- View back to street



Photo 2- Corner for outbuilding



<b>Delegated Report</b> (Members Briefing)		Analysis sheet		Expiry Date:	15/09/2017
		N/A		Consultation Expiry Date:	17/08/2017
<b>Officer</b>			<b>Application Number(s)</b>		
Tessa Craig			2017/4061/P		
<b>Application Address</b>			<b>Drawing Numbers</b>		
9 Eton Avenue London NW3 3EL			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>					
Erection of single-storey, garden room in rear garden.					
<b>Recommendation(s):</b>		Grant Conditional Planning Permission			
<b>Application Type:</b>		Full Planning Permission			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice			
Informatives:				
<b>Consultations</b>				
Adjoining Occupiers:	No. of responses	00	No. of objections	00
	No. electronic	00		
Summary of consultation responses:	A site notice was displayed 26/07/2017-16/08/2017 and a press notice was advertised on 27/07/2017. No neighbouring responses were received.			
<b>CAAC/Local groups* comments:</b> *Please Specify	BCAAC- <ul style="list-style-type: none"> <li>Described as a "garden room" but elsewhere as a "garden pavilion" and on the plans as a "garden house". It is designed as one room accommodation. <i>Whilst there are discrepancies in how the building is described, the plans remain the same. See 2.3 regarding use as separate dwellinghouse.</i></li> <li>Will require excavation through another garden adjacent to install the utilities. <i>Whilst utilities for the building may be installed via minimal excavation of neighbours gardens to access the building, this is not a planning consideration. See 2.4 regarding slab construction.</i></li> <li>Building will not be surrounded by vegetation and neighbouring trees will be bare in winter; <i>See 2.4 regarding trees and vegetation.</i></li> <li>Loss of garden space; <i>See 2.4 regarding trees and vegetation.</i></li> <li>The applicant calls it the Bartholomew Estate CA which is incorrect; <i>Noted, however this does not alter the proposal/assessment.</i></li> <li>The proposal will do nothing to enhance or preserve the CA and should be refused. <i>See 2.2 design assessment.</i></li> </ul>			

## Site Description

The subject property is located on the south side of Eton Avenue and comprises a three storey detached brick property with lower ground level which is divided into three flats. The subject flat occupies the first to third floors and benefits from a large 'L' shaped garden with access at the side of the main building.

The property is within the Belsize conservation area and is a positive contributor to the character of the area but is not a listed building.

## Relevant History

None.

## Relevant policies

### Camden Local Plan 2017

G1 Delivery and location of growth

A1 Managing the impact of development

A3 Protection, enhancement and management of biodiversity

A4 Noise and vibration

D1 Design

D2 Heritage

### Camden Planning Guidance

CPG1 (Design) 1, 2, 3, 4 and 5

CPG6 (Amenity) 6 and 7

### London Plan 2016

### National Planning Policy Framework 2012

### Belsize Conservation Area Statement 2003

## Assessment

### 1. Proposal

- 1.1. Planning permission is sought for the erection of a single storey outbuilding to be located in the rear garden in the south east corner and orientated north to south along the boundary. The dimensions of the building are 3m depth, 5m width and 2.5m height, it would be constructed from timber shingle cladding and includes two glazed sliding doors facing west and one full height window facing north.

### 2. Assessment

- 2.1. The main considerations in relation to this proposal are the design, impact on neighbours and impact on trees/greenspace. These points are considered below.

#### Design

- 2.2. The proposed outbuilding is modestly sized (15sqm), is to be located at the rear of the garden where it shall not be visible from the streetscene (the site also slopes downward away from the street helping prevent views of proposed outbuilding) and would be discreetly constructed from timber cladding tiles. The rear garden is approximately 390sqm with the applicant's demise approximately 120sqm, as such the proposal would allow for the retention of a reasonable amount of garden space. The design is not considered harmful to the character of the main building or the conservation area.

#### Amenity

- 2.3. The proposed outbuilding is to include glazing facing west toward the applicants own garden space and north facing back toward the street. However, the distance from the outbuilding to the nearest windows is over 18m and therefore it is not considered loss of privacy would result. The maximum height (2.5m) and location of the outbuilding at the rear of the garden away from any residential units ensures no loss of light shall occur. A condition shall be imposed which prevents the outbuilding from being used as a separate residential unit and shall only be used for ancillary purposes to the subject flat.

#### Trees and Greenspace

- 2.4. Mature vegetation is located on neighbouring sites and whilst the trees may lose leaves during winter, it is considered that without the neighbouring vegetation the outbuilding would still be visually acceptable as it is modestly sized and constructed in sympathetic materials. The proposal does not require the removal of any trees. The building is to include a shall concrete platform/slab to be constructed above. A condition has been imposed that all works be carried out in accordance with British Standard BS5837:2012 "Trees in Relation to Construction". The rear garden is at least 120sqm and therefore the proposed outbuilding would occupy 12.5% of the total space, leaving adequate greenspace to support biodiversity.

### 3. Recommendation

- 3.1. 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 Tuesday 29<sup>th</sup> August 2017, 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'.***

Dr William Tozer  
William Tozer Associates  
42 44 New House  
67 68 Hatton Garden  
London  
EC1N 8JY

Application Ref: **2017/4061/P**  
Please ask for: **Tessa Craig**  
Telephone: 020 7974 **6750**

15 August 2017

**DRAFT**

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Full Planning Permission Granted**

Address:  
**9 Eton Avenue  
London  
NW3 3EL**

**DECISION**

Proposal:  
Erection of single-storey, garden room in rear garden.  
Drawing Nos: Design & Access Statement 1/1, A/01/001 Rev C, A/02/001 Rev B, A/01/101  
and A/02/101 Rev C.

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:

Design & Access Statement 1/1, A/01/001 Rev C, A/02/001 Rev B, A/01/101 and A/02/101 Rev C.

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 9 Eton Avenue 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 G1, A1 and H7 of the Camden Local Plan 2017.

- 4 Prior to the commencement of any works on site, all trees on the site, or parts of trees growing from adjoining sites, shall be retained and protected from damage in accordance with the protection details hereby approved and with guidelines and standards set out in BS5837:2012 "Trees in Relation to Construction".

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 A1 and A3 of the Camden Local Plan 2017.

Informative(s):

- 1 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).
- 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.

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

Director of Regeneration and Planning

**DRAFT**

**DECISION**