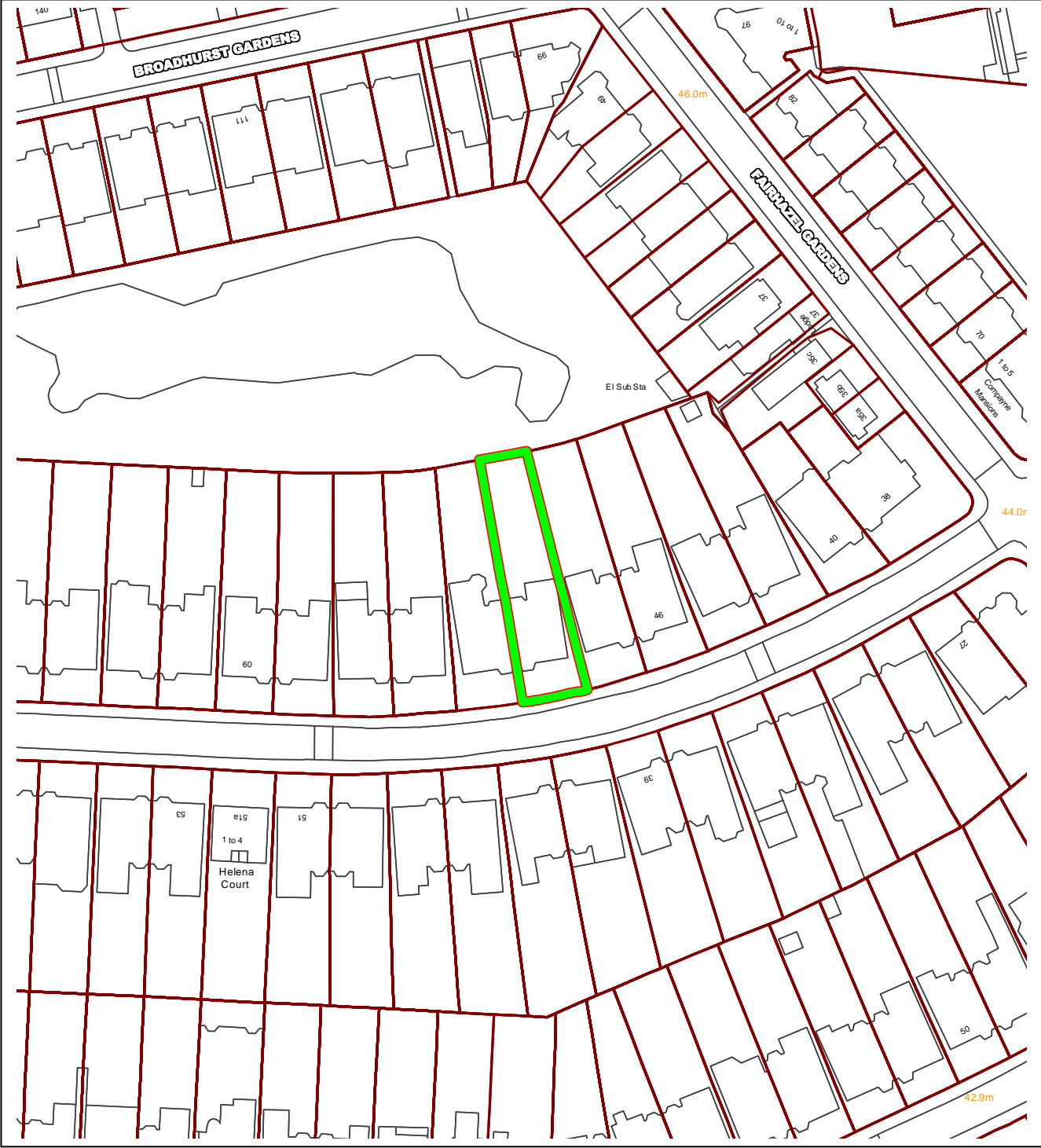


2017/4932/P - 50 Compayne Gardens



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Site photographs

1. Existing rear elevation



2. Rear garden of No.50



3. Aerial view of application site



Delegated Report (Members Briefing)		Analysis sheet		Expiry Date:	30/10/2017
		N/A		Consultation Expiry Date:	27/19/2017
Officer			Application Number(s)		
Patrick Marfleet			2017/4932/P		
Application Address			Drawing Numbers		
Flat 1-2, 50 Compayne Gardens London NW6 3RY			Please refer to draft decision notice		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
Erection of single storey rear garden outbuilding for ancillary use to ground floor flat.					
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. of responses	09	No. of objections	08
Summary of consultation responses:		<p>Site notice: displayed from 27/09/2017 - 18/10/2017 Press notice: displayed from 06/10/2017 - 27/10/2017</p> <p>The neighbouring occupiers of 52, 50 and 48 Compayne Gardens objected to the application on the following grounds:</p> <ol style="list-style-type: none"> 1. The proposal is for new residential accommodation in the rear garden and would result in virtually no garden area being retained. 2. Erection of separate outbuilding would impact significantly on outlook of upper floor flats at No.50. 3. Such a building would set a precedent which would lead to similar development in South Hampstead Conservation Area and impinge on green garden views from Nos. 50, 52 and 48. 4. Building would have grave consequences on 120 year old brick garden walls. 5. The proposed drawings do not include the rear extension that has recently been approved at the site and do not accurately reflect the amount of rear garden area that would be occupied by the two developments. 			

6. It is clear from the size of the proposal that it is intended to be used as a short term rental property which would have a significant impact on safety and security of neighbouring residents.

Officer Comment

1. A condition ensuring the proposal is used only as ancillary space to the existing dwelling has been added to the decision notice. A substantial amount of rear garden space would be retained as a result of the development (see section 2.3 of this report).
2. The impact of the proposal on neighbouring amenity is discussed in section 2.3 of this report.
3. The design and conservation impact of the proposal is discussed in paragraph 2.2 of this report.
4. The proposed outbuilding would be set in 1m from the rear boundary and 2m from the side boundary and would not compromise the structural stability of the existing walls.
5. A condition ensuring the proposal is used only as ancillary space to the existing dwelling has been added to the decision notice.

Combined Residents Association South Hampstead (CRASH) object

1. The scheme contains a kitchen and bathroom and could be used as self-contained accommodation.
2. The proposal is too bulky and the design unsympathetic to the garden and conservation area.
3. There will be significant light spillage if used regularly for accommodation.
4. The views of residents will be significantly affected.

Officer Comment

1. The size of the proposal has been significantly reduced during the course of the application and the bathroom and kitchen areas initially included on the proposed plans have been completely removed.
2. The width and depth of the proposal have been reduced during the course of the application and the overall size of the development is now considered acceptable (see section 2.2 of this report).
3. The impact of the proposal on neighbouring amenity is discussed in section 2.3 of this report.
4. The impact of the proposal on neighbouring amenity is discussed in section 2.3 of this report.

Site Description

The application site relates to the ground floor flat within a four storey semi-detached property located on the northern side of Compayne Gardens, close to its junction with Fairhazel Gardens. The surrounding area primarily consists of large residential dwellings with long undeveloped rear gardens.

The application site is located within the South Hampstead Conservation Area; the host building is not listed but is identified as making a positive contribution to the character and appearance of the conservation area.

Relevant History

Application site

2017/1946/P - Erection of single storey rear extension at ground floor level following the demolition of the existing single storey rear extension. **Approved 27/07/2017 under delegated authority following review at Members Briefing.**

2017/0081/P - Erection of single storey extension to the rear of the existing dwelling house to replace existing extension (Class C3). **Approved 20/03/2017 under delegated authority following review at Members Briefing.**

2017/0089/P - Erection of detached single storey garden room ancillary to the ground floor flat (Class C3). **Refused 07/03/2017 due to the unacceptable impact the proposal would have on the character of the conservation area and absence of arboricultural report.**

Relevant policies

National Planning Policy Framework 2012

The London Plan March 2016

Camden Local Plan 2017

A1 Managing the impact of development

A3 Biodiversity

D1 Design

D2 Heritage

CC1 Climate change mitigation

CC2 Adapting to climate change

CC3 Water and flooding

Camden Planning Guidance 2011/2015

CPG1 (Design)

CPG6 (Amenity)

South Hampstead Conservation Area character appraisal and management strategy 2011

Assessment

1 PROPOSAL

1.1 Planning permission is sought for the erection of a single storey outbuilding to the rear of the existing rear garden area at the site to provide ancillary space to the existing ground floor flat. The proposed development would have, as revised, a flat roof height of 3m, a width of 6m, a depth of 4m and a footprint of approximately 24sqm. The side and rear elevations of the proposal would be constructed from traditional stock brick whilst the front elevation would be glazed. A green roof is also proposed as part of the development.

1.2 Revisions

Following officer concerns regarding the overall size of the proposed development, the applicant has submitted revised plans showing a reduction in the outbuilding's footprint from 33m² to 24m², which is now considered acceptable. Furthermore, the shower room and kitchen initially included on the proposed plans have been completely removed.

2 ASSESSMENT

2.1 The material considerations for this application are as follows:

- Design and Conservation;
- Amenity of neighbouring residential occupants
- Sustainability/biodiversity

2.2 Design and conservation

2.2.1 Local Plan Policies D1 (Design) and D2 (Heritage) are aimed at achieving the highest standard of design in all developments. Policy D1 requires development to be of the highest architectural and urban design quality, which improves the function, appearance and character of the area; and Policy D2 states that the Council will preserve, and where appropriate, enhance Camden's rich and diverse heritage assets and their settings, including conservation areas and listed buildings.

2.2.2 The proposed outbuilding is not considered to be excessive in size, given its external area of 24sqm which would occupy approximately 7% of the existing rear garden. Furthermore, its simple design with natural materials and green roof and its location generously set in from the side boundaries of the site, would ensure it remains visually subordinate to the host and neighbouring gardens and is of a size and design that is appropriate to the landscaped character of this part of the conservation area.

2.2.3 Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area under s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013. The size, design and limited visibility of the proposal would ensure no undue harm is caused to the character of the conservation area as a result of the development.

2.3 Amenity of neighbouring residential occupants

2.3.1 Policy A1 seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered. It seeks to ensure that development protects the quality of life of occupiers and neighbours by only granting permission for development that would not harm the amenity of neighbouring residents. This includes privacy, overlooking, outlook and implications on daylight and sunlight. CPG6 (Amenity) provides specific guidance with regards to privacy, overlooking and outlook.

2.3.2 The distance (approximately 25m) between the front façade of the outbuilding and the original

rear elevation of No.50 Compayne Gardens is considered sufficient in ensuring that no increased overlooking of neighbouring habitable room windows would occur as a result of the development. Furthermore, any views from the outbuilding towards neighbouring habitable windows would be at oblique angles and would not result in the direct overlooking of any neighbouring windows thus preserving the privacy of neighbouring residents.

- 2.3.3 The size, scale, height and location of the proposed development, along the rear boundary of the existing garden at the site, would ensure no undue loss of neighbouring residential amenity would occur in terms of loss of light and outlook.
- 2.3.4 Officers note the concerns raised from neighbouring residents with regard to the loss of garden space that would occur as a result of the development, given the existing rear extension that has recently been approved at the site (ref 2017/1946/P). The host dwelling currently has around 336sqm of rear garden space which would be reduced to approximately 312sqm following construction of the proposed outbuilding and is considered acceptable.
- 2.3.5 If both the proposed outbuilding and proposed rear extension were to be constructed at the site, the amount of rear garden space retained would measure at approximately 281sqm, which is considered sufficient for the occupiers of the dwelling. Therefore, no objection is raised with regard to the loss of rear garden space at the site.

Trees

- 2.3.6 The Council's Tree Officer has reviewed the submitted arboricultural report, tree survey and root protection details and is satisfied that the incursion of the garden room footprint into the root protection areas of any nearby trees would be minimal, and thus acceptable. Therefore, the tree protection details are considered to be in line with BS5837:2012 and would adequately protect the trees during the implementation of any approval.

Sustainability and biodiversity

- 2.3.7 The proposal would incorporate a green roof on the roof of the outbuilding. This is welcomed as it would increase sustainable urban drainage by slowing the speed within which rainwater would enter the drainage system. This would comply with the policy CC2. The green roof would also be valuable habitats for local wildlife. A condition would be attached to any permission requiring details of the green roof to be submitted for approval.

3 Recommendation

- 3.1 Grant conditional planning permission

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 5th March 2018, 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'

Application ref: 2017/4932/P
Contact: Patrick Marfleet
Tel: 020 7974 1222
Date: 27 February 2018

Development Management
Regeneration and Planning
London Borough of Camden
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Judd Street
London
WC1H 9JE
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www.camden.gov.uk

DVM Architects Ltd
4A Murray Street
London
NW1 9RE

DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

Flat 1-2
50 Compayne Gardens
London
NW6 3RY

DECISION

Proposal:

Erection of single storey rear garden outbuilding for ancillary use to ground floor flat.

Drawing Nos: 1897-GR18 B, 1897-GR16 B, 1897-GR13 B, 1897-GR17 B, 1897-GR14 B, 1897-GR12 B, 1897-GR02, 1897-GR06, 1897-GR03, 1897-GR07, 1897-01, 37730-6, 37730-7, Arboricultural Impact Assessment dated 23/02/17, Tree Survey dated 15/02/17, Arboricultural Method Statement 24/02/17.

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 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy D1 and D2 of the London Borough of Camden Local Plan 2017.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans: 1897-GR18 B, 1897-GR16 B, 1897-GR13 B, 1897-GR17 B, 1897-GR14 B, 1897-GR12 B, 1897-GR02, 1897-GR06, 1897-GR03, 1897-GR07, 1897-01, 37730-6, 37730-7, Arboricultural Impact Assessment dated 23/02/17, Tree Survey dated 15/02/17, Arboricultural Method Statement 24/02/17.

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

- 4 Prior to commencement of development, full details in respect of the living roof in the area indicated on the approved roof plan shall be submitted to and approved by the local planning authority. The details shall include
- i. a detailed scheme of maintenance;
 - ii. sections at a scale of 1:20 with manufacturers details demonstrating the construction and materials used;
 - iii. full details of planting species and density

The living roofs shall be fully provided in accordance with the approved details prior to first occupation and thereafter retained and maintained in accordance with the approved scheme.

Reason: In order to ensure the development undertakes reasonable measures to take account of biodiversity and the water environment in accordance with policies G1, CC1, CC2, CC3, D1, D2 and A3 of the London Borough of Camden Local Plan 2017.

- 5 The outbuilding hereby approved shall only be used for purposes incidental to the residential use of Flat 1-2, 50 Compayne Gardens 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 A1 and H3 of the Camden Local Plan 2017.

- 6 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 during construction work in accordance with the tree protection reports hereby approved. Any trees which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced as soon as is reasonably possible and, in any case, by not later than the end of the following planting season, with others of similar size and species.

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.

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

David Joyce
Director of Regeneration and Planning

DECISION