

Application ref: 2018/2915/P
Contact: Ben Farrant
Tel: 020 7974 6253
Date: 14 August 2018

Development Management
Regeneration and Planning
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Ecospace Studios
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London
SE17 3QA

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

Flat D
59 Broadhurst Gardens
London
NW6 3QT

Proposal: Erection of an outbuilding in rear garden, for use incidental to the use of the host property.

Drawing Nos: 1815.PL.01, 1815.PL.02, 1815.PL.03_Rev.B, ECO/DTL/02, 'Sedum Species in Current Blankets' document (unnumbered), 'Eco Space Green Roof Maintenance Guide' document (unnumbered), 'Bauder Technical Data Sheet' & Arboricultural Impact Assessment Ref.02915R by Tamla Trees dated July 2018.

The Council has considered your application and decided to grant permission subject to the following conditions:

Conditions and Reasons:

- 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: 1815.PL.01, 1815.PL.02, 1815.PL.03_Rev.B, ECO/DTL/02, 'Sedum Species in Current Blankets' document (unnumbered), 'Eco Space Green Roof Maintenance Guide' document (unnumbered), 'Bauder Technical Data Sheet' & Arboricultural Impact Assessment Ref.02915R by Tamla

Trees dated July 2018.

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

- 3 The outbuilding hereby approved shall remain ancillary to the use of the main property (Flat D, 59 Broadhurst Gardens, NW6 3QT) and shall not be used as separate residential accommodation, business premises or other non-ancillary use.

Reason: In order to protect the residential amenities of neighbouring occupiers in accordance with policy A1 of the London Borough of Camden Local Plan 2017.

- 4 Prior to the commencement of construction works on site, tree protection measures shall be carried out in accordance with the tree protection recommendations of the Arboricultural Impact Assessment hereby approved, including (but not limited to) the use of hand-dug pad footings and service trench.

All such protection measures shall remain in place for the duration of works on site.

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 Prior to the first use of the outbuilding hereby approved, the 2no. south facing windows shall be made obscure glazed; the windows shall remain as such in perpetuity.

Reason: In order to prevent unreasonable overlooking of no.14 Compayne Gardens in accordance with the requirements of policy A1 of the London Borough of Camden Local Plan 2017.

Informatives:

- 1 Reasons for granting permission

Proposed is a single storey 'L' shaped outbuilding in the rear curtilage of the property. The outbuilding would have a maximum height of 2.8m, maximum depth of 6.9m and maximum width of 6.8m. It would have an external footprint of 37sq. m; it would be of a contemporary design, with a flat roof and large format glazing.

The property is within the South Hampstead Conservation Area, there are no nearby listed buildings.

The gardens of nos.59 (application site) and 57 have been historically merged and are now both form part of the garden of no.59. As such, the garden of the property measures 239sq. m, meaning the outbuilding occupies approximately just 15.5% of the footprint of the garden. It is additionally acknowledged that the property itself has a footprint of 77.5sq. m, the outbuilding thereby representing 47.75% of the footprint of the host property. Given these factors, the proposal is considered to be of a scale which is considered ancillary to the main property. A condition has been included to ensure its use remains ancillary to the host building.

The outbuilding would be of a contemporary design finished with cedar cladding and glazing. This material finish is considered to be acceptable and would not result in undue harm to the character and appearance of the area. It is further acknowledged that the outbuilding would not be immediately visible in public views, nor would it impact on the character, appearance or historic interest of the conservation area.

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.

Given the proposed dimensions of the outbuilding, coupled with its siting and distance from neighbouring properties, the proposal is considered not to result in undue harm to the residential amenities of neighbouring properties. Given its elevated nature, the windows on the southern elevation could allow for an increased level of overlooking to no.14 Compayne Gardens, as such a condition has been attached ensuring these are obscure glazed.

A Tree Report and details of the proposed sedum roof have been submitted with the application; these have been assessed by Camden Council's Trees and Landscaping team and have been found to be acceptable subject to the attached conditions.

No objections have been received following public consultation on the scheme. The planning history of the site and surrounding area has been considered when determining this application.

As such, the proposed development is in general accordance with policies D1, D2 & A1 of the London Borough of Camden Local Plan (2017), the London Plan (2016), and the National Planning Policy Framework (2012).

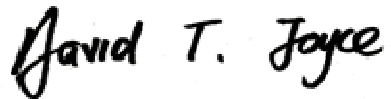
- 2 Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays 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

A handwritten signature in black ink that reads "David T. Joyce". The signature is written in a cursive style with a large initial 'D' and 'J'.

David Joyce
Director of Regeneration and Planning