

Application ref: 2018/3492/P
Contact: Tony Young
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Date: 1 April 2019

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JDW Architects
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Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

**114 Greencroft Gardens
London
NW6 3PJ**

Proposal:

Erection of a single storey outbuilding and decking in rear garden for ancillary residential purposes.

Drawing Nos: (jw542-)100, SP03; Arboricultural Method Statement from JDW Architects.

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: (jw542-)100, SP03; Arboricultural Method Statement from JDW Architects.

Reason:

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

- 4 The outbuilding hereby approved shall only be used for purposes incidental to the residential use of 114 Greencroft Gardens and shall not be used as a separate independent Class C3 dwelling or Class B1 business use.

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 H6 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Reasons for granting permission:

The proposal involves the erection of a single storey outbuilding in rear garden for ancillary residential purposes. The external dimensions of the outbuilding are 4.5m wide x 6.6m deep x 3.3m high from ground level at its highest point. The flat roof would slope downwards slightly towards the rear and the structure would sit within 0.8m from the side boundaries and 1m from the rear boundary. The structure would be made from timber with composite aluminium door and window frames, and would sit on a number of concrete pads set approximately 200mm below the ground level surface with decking extending forward at the front.

The addition of the proposed outbuilding and decking (with a total floor area of approximately 50sqm) within a total rear garden area of approximately 188sqm, would amount to a relatively small cumulative total of garden space occupied by the proposed structure and decking (approximately 26%). The remaining available garden area would be approximately 138sqm and is considered to be more than a reasonably sized rear garden space such that the open character of existing natural landscaping and garden amenity would continue to be maintained.

It is noted that several approved outbuildings occupy the rear gardens in both Greencroft and Canfield Gardens (including both adjacent properties at nos. 112 and 116), a number of which are of comparable size or larger, and which could be considered characteristic of the large rear garden spaces of properties within this locality. These large adjacent outbuildings on each side and existing boundary walls are considered to provide adequate screening for the proposed structure. Given that private views are limited because of this and

there are no views from within the wider public realm, as well as, the significant distance that the proposed outbuilding would be away from the nearest residential properties (approximately 18m), the outbuilding would not be visually prominent.

It is therefore considered that the location, footprint and scale of the outbuilding would be visually subordinate within the host garden and would be acceptable in the context of this large residential garden space. The design and materials are also considered to be sensitive to the special qualities of the host building and in keeping with the open nature at the rear, and would respect the character and appearance of the neighbouring buildings and wider South Hampstead Conservation Area.

Furthermore, given the outbuilding's position towards the rear of the garden and its distance away from the nearest residential properties, it is not considered that the proposals would be overbearing or result in any significant sense of enclosure, nor have any adverse impacts on levels of outlook to either neighbours or existing and future occupiers of the host property. Any possible light spillage from the proposed doors and windows is also considered to be small and no significant change in footfall is expected between the main house and the outbuilding given the fact that this area already actively used. As such, the proposal is not considered to cause harm to neighbouring amenity in terms of outlook, overlooking, light-spill, loss of sunlight/daylight, or increased sense of enclosure and/or noise.

- 2 There are no Tree Preservation Order(s) associated with the host property or with any nearby rear gardens. Furthermore, the arboricultural method statement submitted is considered sufficient to demonstrate that any nearby trees will not be adversely affected by the proposals given that the proposed scheme involves only minor excavation works within the root protection areas. The degree of encroachment in these areas is minimal and will be undertaken by hand with any significant roots. The Council's Tree Officer has assessed the information submitted and confirmed the proposals would be in line with BS5837:2012, and as such, are acceptable. The proposed sedum or green roof details have also been assessed and are considered to be sufficient to allow for a thriving and adequately maintained living roof.

The site's planning and appeal history has been taken into account when coming to this decision. No objections have been received in relation to the proposals.

Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the South Hampstead Conservation Area, under s.72 of the Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

As such, the proposal is in general accordance with policies A1, A3, D1, D2, CC2 and CC3 of the Camden Local Plan 2017, the London Plan 2016, and the National Planning Policy Framework 2019.

- 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).

- 4 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.
- 5 You are reminded that this decision only grants permission for an outbuilding used for purposes incidental to the existing residential use of the ground floor residential flat. Any alternative use of the outbuilding for temporary accommodation, i.e. for periods of less than 90 days for tourist or short term lets etc, would constitute a material change of use and would require the grant of planning permission.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2019.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully



Daniel Pope
Chief Planning Officer