

Application ref: 2019/0700/P
Contact: Sofie Fieldsend
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Date: 31 July 2019

Development Management
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Prime Meridian Ltd
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Dear Sir/Madam

Aftesbury DECISION

Town and Country Planning Act 1990 (as amended)

Householder Application Granted

Address:
31 Swain's Lane
London
N6 6QL

Proposal: Erection of single storey rear extension following demolition of existing.

Drawing Nos: 2019/SW/01; 2019/SW/02; 2019/SW/03 B; 2019/SW/04 C; Arbtech AIA 01; Arbtech TPP 01; site location plan; block plan and Arboricultural report dated 13th June 2019 ref. 31 Swains Lane - AMS 01 by Arbtech

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 policies 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:

2019/SW/01; 2019/SW/02; 2019/SW/03 B; 2019/SW/04 C; Arbtech AIA 01; Arbtech TPP 01; site location plan; block plan and Arboricultural report dated 13th June 2019 ref. 31 Swains Lane - AMS 01 by Arbtech.

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

- 4 Prior to the commencement of works on site, tree protection measures shall be installed and working practices adopted in accordance with the arboricultural report dated 13th June 2019 ref. 31 Swains Lane - AMS 01 by Arbtech. 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 BS5837:2012 and with the approved protection details. The works shall be undertaken under the supervision of the project arboriculturalist.

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 Camden Local Plan.

Informative(s):

- 1 Reasons for granting permission:

The single storey rear extension (max 6.7m wide and 4.1m deep) will replace an existing conservatory, it is modest in size. It will be rendered to match the host property with Crittall aluminium windows, the fenestration materials will differentiate it as a modern addition. Revised plans were received, reducing the scale of the extension, removing the side window and redesigning the roof and rooflights.

The extension would not be visible from the public realm. It is also considered that the proposal would still allow for the retention of a generously sized and usable rear garden. The main body of the extension will match its adjoining neighbour at No.33 Swains Lane in terms of height and depth with an additional 0.9m inset element. It is noted that there are larger extensions along this side of the road and therefore it is considered to respect the prevailing pattern of development on this side of Swains Lane and would not result in overdevelopment.

Overall, the proposal would remain subordinate to the host building in terms of design, form and scale, and would preserve the character and appearance of the host property, streetscene and Holly Lodge Conservation Area.

Special attention has been paid to the desirability of preserving or enhancing the character and 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 that the inset element of the extension will only project 0.9m further than No.33's extension and its modest eaves height, it is not considered to cause harm to this neighbour's amenity in terms of loss of light, outlook or a sense of enclosure to an extent that would warrant a reason for refusal. The other neighbouring properties are considered to be set a sufficient distance away and the development is not considered to cause any adverse impacts on the amenity of adjoining residential occupiers.

An arboricultural report was submitted and assessed by the Council's Tree officer who considered it sufficient to demonstrate that the trees to be retained will be adequately protected in line with BS5837:2012. T9 and T10, a small conifer and a small apple tree are proposed to be removed in order to facilitate development. Both trees are of low visibility from the public realm and are not considered to significantly contribute to the character of this part of the conservation area. A condition is attached requiring compliance with tree protection measures.

No objections have been received prior to making this decision. The Holly Lodge did not object but commented that it should be reduced by 0.8m to match its adjoining neighbour to avoid maintenance issues. Revised plans were received reducing the main body of the extension to match the neighbour with a set back from its adjoining neighbour and given the pattern of development of this side of Swains Lane the inset element projecting further would still appear subordinate. The planning history of the site has been taken into account when coming to this decision.

As such, the proposed development is in general accordance with policies A1, A2, A3 D1 and D2 of the Camden Local Plan 2017. The proposed development also accords with policies of the London Plan 2016 and of the National Planning Policy Framework 2019.

- 2 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).
- 3 This approval does not authorise the use of the public highway. Any requirement to use the public highway, such as for hoardings, temporary road closures and suspension of parking bays, will be subject to approval of relevant licence from the Council's Streetworks Authorisations & Compliance Team

London Borough of Camden 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No 020 7974 4444) . Licences and authorisations need to be sought in advance of proposed works. Where development is subject to a Construction Management Plan (through a requirement in a S106 agreement), no licence or authorisation will be granted until the Construction Management Plan is approved by the Council.

- 4 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website at <https://beta.camden.gov.uk/documents/20142/1269042/Camden+Minimum+Requirements+%281%29.pdf/bb2cd0a2-88b1-aa6d-61f9-525ca0f71319> or contact the Council's Noise and Licensing Enforcement Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444)

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 must secure the approval of the Council's Noise and Licensing Enforcement Team prior to undertaking such activities outside these hours.

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