

Application ref: 2019/6038/P
Contact: Leela Muthoora
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Date: 7 May 2020

Development Management
Regeneration and Planning
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Smart Garden Offices Ltd
Thurston Park
Church Road
Thurston
Bury St Edmunds
IP31 3RN

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

Flat Ground Floor
53 Aberdare Gardens
London
NW6 3AL

Proposal:

Erection of a single storey timber garden building to the rear of existing Ground Floor Flat (C3).

Drawing Nos: (201760) L01A, B01B, BL_, P01C, E01C

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 (201760) L01A, B01B, BL_, P01C, E01C.

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 53 Aberdare Gardens and shall not be used as a separate independent Class C3 dwelling or Class B1 business unit.

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, H6 and H7 of the Camden Local Plan 2017.

Informative(s):

- 1 Reasons for granting permission.

The proposed single storey garden building would be have minimal visual impact and be visually subordinate within the host garden. Due to the size, location and building height, the outbuilding would retain visibility over garden fences and would not result in a significant loss of garden amenity space. The materials would complement the host property and the overall character of the surrounding area, and there would be minimal impact on trees. The single storey structure would have limited visibility on the surrounding area which would preserve the character and appearance of the South Hampstead Conservation Area.

The structure would be positioned at the rear of the garden in the same location as an existing shed, which it will replace. The building would be partially screened by existing high hedges and a 1.8 metre high fence on the boundary. The orientation of the building means that no windows or doors would face the neighbouring gardens. A condition will be attached to ensure that the garden building is only used for purposes ancillary to the property. These aspects of the development are considered to mitigate any harmful impact on the residential amenity of neighbouring occupiers in terms of loss of privacy, outlook, or light spillage.

No objections have been received prior to making this decision. The site's planning history was considered in the determination of this decision.

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 Area) Act 1990 as amended by

the Enterprise and Regulatory Reform Act (ERR) 2013.

As such, the proposed development is in general accordance with policies A1 (Managing the impact of development), D1 (Design) and D2 (Heritage) of the London Borough of Camden Local Plan 2017. The proposed development also accords with the London Plan 2016, the London Plan (Intend to Publish) 2019 and 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 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.

- 4 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.
- 5 You are advised that the structure hereby approved should be constructed in such a manner that it will not be susceptible to future damage by protected trees. The Council is unlikely to consider favourably any application to prune or fell protected trees because of their impact on the structure hereby approved. You are further advised that the Department for Communities and Local Government the Regions guidance "Tree Preservation Orders - A Guide to the Law and Good Practice" states that no compensation is payable to a person for loss or damage which was (i) reasonably foreseeable by that person, and (ii) attributable to that person's failure to take reasonable steps to avert the loss or damage or mitigate its extent

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

A handwritten signature in black ink, appearing to read 'DP', is positioned above the printed name and title.

Daniel Pope
Chief Planning Officer