

Application ref: 2020/1341/P
Contact: Tony Young
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Date: 28 August 2020

Development Management
Regeneration and Planning
London Borough of Camden
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planning@camden.gov.uk
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Kasia Whitfield Design
90A Fellows Road
Belsize Park
London
NW3 3JG

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

Flat 1
23 Tanza Road
London
NW3 2UA

Proposal:

Erection of single storey outbuilding in rear garden for ancillary residential purposes, including alterations to rear balcony balustrade and stairs.

Drawing Nos: (TR23/-)01 rev A, 02 rev A, 03 to 10 (inclusive); Design and Access Statement from Kasia Whitfield Design received 10/06/2020; Garden Room Details from Claire MacArthur Designs Ltd. received 10/06/2020; Arboricultural Method Statement from David Archer Associates dated July 2020.

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: (TR23/-)01 rev A, 02 rev A, 03 to 10 (inclusive); Design and Access Statement from Kasia Whitfield Design received 10/06/2020; Garden Room Details from Claire MacArthur Designs Ltd. received 10/06/2020; Arboricultural Method Statement from David Archer Associates dated July 2020.

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 Flat 1, 23 Tanza Road 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.

- 5 Prior to the commencement of works on site, tree protection measures shall be installed and working practices adopted in accordance with the Arboricultural Method Statement from David Archer Associates dated July 2020. 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 details. The works shall be undertaken under the supervision of the project arboriculturalist and monitored in accordance with the approved arboricultural report.

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 planning permission:

The proposal involves the installation of black painted metal railings and a marginally realigned stair layout associated with an existing rear ground floor level terrace and external garden access stairs. While the alterations are relatively minor in terms of their design, location and materials, the proposal is considered to be an improvement particularly by virtue of replacing an unsuitable grey stainless steel and glass balustrade, and a resultant appearance more in keeping with the character of the building and wider area.

There are no amenity concerns given the minor nature of the alterations and that they relate to an existing terrace space.

The proposal also involves the erection of a single storey outbuilding in the rear garden for ancillary purposes incidental to the residential use at the property. The external dimensions of the outbuilding are shown to be 5m wide x 3.42m deep x 2.95m high. The freestanding structure, with a sedum flat roof, would sit 1.12m and 3m respectively away from the side boundaries and 1.37m from the rear boundary. It would be timber clad with grey aluminium door and window frames, and would sit on floor panels and beams secured by ground screws set 1.2m below the ground level surface.

The siting of the proposed outbuilding (with a total floor area of approximately 17sqm) within a total rear garden area of approximately 162sqm, would amount to a relatively small cumulative total of garden space occupied by the proposed structure (approximately 11%). The remaining available garden area would be approximately 145sqm which is considered to be a reasonably sized rear garden space, such that the open character of any existing natural landscaping and garden amenity would continue to be maintained.

The proposed outbuilding would be positioned in a far corner of the rear garden with public parkland to the rear and wooden boundary fences on all sides which are considered sufficiently tall to provide a high degree of screening for most of the proposed structure (only the top 0.95m would be visible). Given that both public and private views are limited because of this, as well as, the significant distance that the proposed outbuilding would be away from the nearest residential properties (approximately 17m), 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 this context. The design and materials are also considered to be in keeping with the open nature of gardens at the rear, and would respect the character and appearance of the host and neighbouring buildings, as well as, the South Hill Park Conservation and Hampstead Neighbourhood Areas.

Furthermore, given the outbuilding's position towards the rear corner of the garden and its distance away from the nearest residential properties, the proposal is not considered to be overbearing or result in any significant sense of enclosure, nor have any adverse impact 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 window is also considered to be small and no significant change in footfall is expected given the incidental nature of the outbuilding's use. As such, the proposal is not considered likely to introduce any significant harm to neighbouring amenity in terms of outlook, overlooking, light-spill, loss of sunlight/daylight, or increased sense of enclosure and/or noise.

It is noted that there is a Tree Preservation Order on a Sessile Oak (ref. C766 2008) located in the rear garden of the property. The tree protection measures and methodology submitted have been reviewed by a Council Tree Officer. The information is considered sufficient to demonstrate that no trees will be

adversely affected by the proposals, particularly as the proposed scheme involves only minor excavation works within the identified root protection areas. The degree of encroachment in these areas is minimal and will be undertaken by hand where possible with any significant roots (those over 25mm in diameter in line with BS5837:2012) to be retained. As such, the impact of the scheme on any nearby trees is considered acceptable. The submitted sedum roof details are also 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. An objection received prior to the registration of the application is noted in the Consultation Summary sheet associated with this decision.

Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the South Hill Park 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, policies DH1 and DH2 of the Hampstead Neighbourhood Plan 2015, the London Plan 2016, the Draft London Plan (Intend to publish) 2019 and the National Planning Policy Framework 2019.

- 2 You are reminded that this decision only grants permission for an outbuilding used for purposes incidental to the existing residential use at Flat 1, 23 Tanza Road. 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.
- 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 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.

- 5 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.

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 'DPope', is written over a light grey grid background.

Daniel Pope
Director of Economy, Regeneration and Investment