

Application ref: 2020/4109/P
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Date: 2 March 2021

Development Management
Regeneration and Planning
London Borough of Camden
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Extension Architecture
Unit 3 River Reach Business Park
Gartons Way
LONDON
SW11 3SX

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Householder Application Granted

Address:
43 Hillfield Road
London
NW6 1QD

Proposal:
Erection of an outbuilding with timber decking in the rear garden.
Drawing Nos: 43 HR - PL - 00; 43 HR - PL - 01; 43 HR - PL - 02; 43 HR - PL - 03; 43 HR - PL - 04; AAS/PEW/AIASR/0412:20.

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 of the London Borough of Camden Local Plan 2017 and Policy 2 of the Fortune Green and West Hampstead Neighbourhood Plan 2015.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans: 43 HR - RV - 00; 43 HR - PL - 01; 43 HR - RV - 01; 43 HR - RV - 02; 43 HR - RV - 03; 43 HR - RV - 04; 43 HR - RV - 05; 43 HR - RV - 05; Planning Statement commissioned by Extension Architecture no date and Arboricultural Planning Impact Assessment Report dated 4th December 2020 ref: AAS/PEW/AIASR/0412:20.

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

- 4 The proposed works shall be carried out in accordance with the Arboricultural and Planning Impact Assessment Report ref: AAS/PEW/AIASR/0412:20 and all trees shall be retained and protected during construction work unless otherwise approved by the local planning authority in writing. Such details shall follow guidelines and standards set out in BS5837:2012 "Trees in Relation to Construction". 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 the approved protection details.

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 and Policy 2 of the Fortune Green and West Hampstead Neighbourhood Plan 2015.

- 5 Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 or the Town and Country Planning (General Permitted Development) Order 2015 (or any orders revoking and re-enacting those orders with or without modification), the outbuilding hereby approved shall only be used for purposes incidental to the residential use of 43 Hillfield Road and shall not be used for any other purposes whatsoever, including as a separate independent residential dwelling.

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 A1 and H3 of the Camden Local Plan 2017 and Policy 2 of the Fortune Green and West Hampstead Neighbourhood Plan 2015.

- 6 Prior to commencement of development, full details in respect of the living roof in the area indicated on the approved roof plan shall be submitted to and approved by the local planning authority. The details shall include:
 - i. a detailed scheme of maintenance;
 - ii. sections at a scale of 1:20 with manufacturers details demonstrating the construction and materials used;
 - iii. full details of planting species and density.

The living roofs shall be fully provided in accordance with the approved details prior to first occupation and thereafter retained and maintained in accordance with the approved scheme.

Reason: In order to ensure the development undertakes reasonable measures to take account of biodiversity and the water environment in accordance with policies CC1, CC2, CC3, D1, and A3 of the London Borough of Camden Local Plan 2017; the proposal also abide by policy 2 and 17 of the Fortune Green and West Hampstead Neighbourhood Plan 2015.

Informative(s):

1 Reasons for granting permission:

The proposed external outbuilding would be located at the rear of a 17m long garden. During the course of the application the design of the outbuilding has been revised to reduce its footprint from an L-shape to a simple rectangular design and would be constructed from timber cladding with aluminium sliding door. This is considered appropriate for its garden setting. Its overall height would be 2.6m to the top of the flat roof. The outbuilding would not appear disproportionate to the scale of the garden and would be considered acceptable in terms of its size, height and detailed design.

The rear garden area measures approximately 179sqm and the proposed outbuilding would occupy 22 sq. m of this (approximately 12.3%). The remaining available garden area would be approximately 87.7% which is considered to be a reasonably sized rear garden space that would be retained such that the open character of any existing natural landscaping and garden amenity would continue to be maintained.

The proposed outbuilding would be set in 200mm from the rear boundary fence. The existing boundary fences on either side are considered to be of sufficient height to provide an appropriate level of screening to neighbouring properties. Given that private views are limited because of this and there are no views from the public realm, as well as, the significant distance that the proposed outbuilding would be away from the nearest residential properties, the proposal would not be visually prominent.

The Council's Tree Officer has confirmed that the proposal would not impact on the surrounding trees providing it is constructed in line with the arboricultural impact assessment that has been submitted. A condition has been attached to ensure this.

The proposal includes a sedum roof on the roof of the outbuilding. The Council preference is for developments to incorporate biodiverse green roofs rather than sedum roofs, as sedum roofs provide limited biodiversity value. A condition has been attached requiring the submission of details of the green roof to be submitted.

Given the outbuilding's position towards the rear garden and its distance away from the nearest residential properties, it is not considered that the proposals

would not 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 outbuilding is also considered to be modest due to the number of openings 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.

No comments have been received prior to making this decision and the site's planning and appeal history has been taken into account when coming to this decision.

As such, the proposal is in general accordance with policies H3, A1, A3, D1, CC2 and CC3 of the Camden Local Plan 2017; the proposal would also accord with Policies 2 and 17 of the Fortune Green and West Hampstead Neighbourhood Plan; the proposal is in general accordance with Policies in the Publication London Plan 2020 and the provisions 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 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.

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 rectangular background.

Daniel Pope
Chief Planning Officer